

# JOURNAL OF THE SENATE

Monday, April 20, 1959

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The Senate convened at 4:00 o'clock P. M., pursuant to adjournment on Friday, April 17, 1959.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

—36.

A quorum present.

Senators Edwards and Stratton were excused from attendance upon the session.

The following Prayer was offered by the Senate Chaplain, Reverend L. B. Thomason:

Dear Father, Help us this week to realize the sacred responsibility which is ours, and give us an earnest desire to discharge that responsibility.

Give us most of all the desire to do our best for Thee and our fellowmen, and to seek to please Thee in every area of our lives. In Jesus Name. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Tuesday, April 14, 1959, was further corrected as follows:

Page 41, column 2, line 25, strike out the word "prescribing" and insert in lieu thereof the word "prescribind."

Also—

Page 42, column 2, line 16, counting from the bottom of the column, strike out the word "activation" and insert in thereof the word "de-activation."

Also—

Page 42, column 2, line 16, counting from the bottom of the column, strike out the word "de-activation" and insert in lieu thereof the word "de-activation."

And as further corrected was approved.

The Senate daily Journal of Friday, April 17, 1959, was corrected as follows:

Page 76, column 2, between lines 5 and 6, insert the following:

"—and recommends that the same pass with Committee Amendments as attached thereto."

And as corrected was approved.

## REPORT OF COMMITTEE

Senator Dickinson, Chairman of the Committee on Judiciary "B", reported that the Committee had carefully considered the following Bills:

S. B. No. 68—A bill to be entitled An Act to amend Section 322.34, Florida Statutes, relating to drivers' licenses; providing penalties for driving while license is cancelled, suspended or revoked, and providing an effective date.

S. B. No. 73—A bill to be entitled An Act to amend subsection (1) of Section 317.20, Florida Statutes, relating to driving while under the influence of intoxicating liquor; prescribing the standard upon which it shall be presumed that the defendant was under the influence of intoxicating liquor; pro-

viding for the promulgation of rules and regulations by the Department of Public Safety; and providing an effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Dickinson, Chairman of the Committee on Judiciary "B," reported that the Committee had carefully considered the following Bills:

S. B. No. 76—A bill to be entitled An Act to amend Subsection (2) of Section 317.20, Florida Statutes, relating to driving while under the influence of intoxicating liquor; providing fines and jail sentences for persons convicted of driving a motor vehicle while under the influence of intoxicating liquor; and providing an effective date.

S. B. No. 77—A bill to be entitled An Act relating to regulation of traffic on highways; amending Chapter 317, Florida Statutes, by adding Section 317.231; prescribing standards governing the use of electronic, electric, or mechanical speed measuring devices; providing for warning signs; providing for admissibility of such evidence in courts; and providing an effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

## ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred, with Senate Amendments, for engrossing—

S. B. No. 50—A bill to be entitled An Act relating to contents and form of receipt of payments on loans to building and loan associations and federal savings and loan associations and life insurance companies, amending Section 687.10, Florida Statutes, by providing exemption from provisions of Section 687.08, and Section 687.09, Florida Statutes.

—begs leave to report that the Amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Bill No. 50, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with Senate Amendment, for engrossing—

S. B. No. 79—A bill to be entitled An Act relating to taxation; amending Chapter 193, Florida Statutes, by adding Section 193.671; providing for monthly advances by the Board of County Commissioners to tax collectors, to provide funds for the operation of the tax collectors' offices until commissions are receivable in regular course; providing a retroactive effective date.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Bill No. 79, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with Senate Amendment, for engrossing—

S. B. No. 84—A bill to be entitled An Act relating to tangible personal property taxation; amending Section 200.24, Florida Statutes, by providing for correction of obvious clerical errors in assessment or equalization; providing an effective date.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Bill No. 84, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with Senate Amendment, for engrossing—

S. B. No. 139—A bill to be entitled An Act relating to the making of savings share accounts by minors in federal savings and loan associations and providing that the association may pay the withdrawal value of such account to the minor as if he were of full age and legal capacity.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Bill No. 139, contained in the above report was ordered certified to the House of Representatives.

#### ENROLLING REPORT

Your Enrolling Clerk to whom was referred—

H. B. No. 7

—reports same has been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on April 20, 1959.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Enrolling Clerk  
of the Senate.

Senator Knight moved that a committee be appointed to escort Honorable Fuller Warren of Miami Beach, Florida, former member of the House of Representatives and former Governor of Florida, to the rostrum.

Which was agreed to.

And the President appointed Senators Knight, Johns and Connor as the committee which escorted Honorable Fuller Warren to the rostrum where he was received by the Senate standing.

#### INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator Dickinson—

S. B. No. 272—A bill to be entitled An Act relating to drivers' licenses; amending Section 322.05 and Subsection (2) of Section 322.16, Florida Statutes, providing no person under sixteen (16) years of age shall drive a motor bike, motor scooter, motorcycle or bicycle which is motor propelled; providing effective date.

Which was read the first time by title only and referred to the Committee on Motor Vehicles.

By Senator Dickinson—

S. B. No. 273—A bill to be entitled An Act relating to regulation of traffic on highways; amending Chapter 317, Florida Statutes, by adding Section 317.631, requiring diesel fuel driven motor vehicles to be equipped with specified exhausts; and providing an effective date.

Which was read the first time by title only and referred to the Committee on Motor Vehicles.

By Senator Dickinson—

S. B. No. 274—A bill to be entitled An Act relating to jurors and jury lists; repealing Sections 40.01 through 40.04, 40.07 and 40.12, Florida Statutes; creating Sections 40.011, 40.012, 40.013, 40.014, 40.021, 40.022 and 40.081, Florida Statutes, to include provisions presently contained in Sections 40.01, 40.07, 40.02, Florida Statutes, and to provide for service on juries by men and women without restriction as to sex; to provide alternate method of selecting jury lists in counties of less than twenty-five thousand (25,000) inhabitants and to require the filing of affidavits by all persons claiming exemptions from jury duty; amending Sections 40.08, 40.09, 40.10, 40.11 and 40.24, Florida Statutes, increasing the per diem and travel allowance of jurors and fixing an effective date.

Which was read the first time by title only and referred to the Committee on Constitutional Amendments and Governmental Reorganization and the Committee on Judiciary "C."

By Senator Dickinson—

S. B. No. 275—A bill to be entitled An Act to amend Section 635.24, Florida Statutes, to authorize group life insurance covering members, or both, of any duly organized association composed of members of the medical, dental, nursing, veterinarian, pharmaceutical, accounting, architectural, engineering or legal profession.

Which was read the first time by title only and referred to the Committee on Insurance.

By Senator Dickinson—

S. B. No. 276—A bill to be entitled An Act relating to compensation of witnesses; amending Sections 90.14 and 932.33, Florida Statutes, to increase per diem and travel expense allowed witnesses.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Dickinson—

S. B. No. 277—A bill to be entitled An Act relating to exhibition of motion pictures; amending Sections 521.02 and 521.04, Florida Statutes, by prohibiting nudist colony films and providing a penalty; and providing an effective date.

Which was read the first time by title only.

By unanimous consent Senator Dickinson withdrew Senate Bill No. 277 from the further consideration of the Senate.

By Senator Dickinson—

S. B. No. 278—A bill to be entitled An Act relating to judicial proof; amending Chapter 90, Florida Statutes, by adding Section 90.041, to provide that clergymen, priests and rabbis are incompetent as witnesses in relation to communications entrusted to them in the course of practice or discipline of their respective denominations; providing exception.

Which was read the first time by title only and referred to the Committee on Judiciary "B."

By Senator Dickinson—

S. B. No. 279—A bill to be entitled An Act granting the State Road Department the authority to adopt rules and regulations to comply with the provisions of the "Federal-Aid Highway Act of 1958" relating to the control of outdoor advertising on the national system of interstate and defense highways and limited access facilities, and to enter into agreements with the Secretary of Commerce with reference thereto; providing for an effective date.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways and the Committee on Judiciary "C."

By Senator Dickinson—

S. B. No. 280—A bill to be entitled An Act relating to Sheriffs; amending Subsection (2) of Section 30.48, Florida Statutes, and Subsection (2) of Section 2 of Chapter 57-368, Laws of 1957; repealing Section 30.47, Florida Statutes, also Section 1 of Chapter 57-368, Laws of 1957; repealing Section 30.54, Florida Statutes, also Sections 9 and 10 of Chapter 57-368, Laws of 1957; providing uniform salaries and deleting

from said Chapters certain exemptions; providing an effective date.

Which was read the first time by title only and referred to the Committee on Constitutional Amendments and Governmental Reorganization.

By Senator Dickinson—

S. B. No. 281—A bill to be entitled An Act relating to registration of absentee electors; amending Sections 101.691, Subsection (4) of 101.692, 101.693, Subsection (1) of 101.694 and adding Subsection (5) to 101.694, Florida Statutes; providing for methods; providing an effective date.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Bronson—

S. B. No. 282—A bill to be entitled An Act to extend the corporate limits of the City of Kissimmee, Florida, and to give the said City of Kissimmee jurisdiction over the territory embraced in said extension.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 282 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Bronson moved that the rules be waived and Senate Bill No. 282 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 282 was read the second time by title only.

Senator Bronson moved that the rules be further waived and Senate Bill No. 282 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 282 was read the third time in full.

Upon the passage of Senate Bill No. 282 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So Senate Bill No. 282 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Stenstrom—

S. B. No. 283—A bill to be entitled An Act relating to probate law: amending Sections 733.43, 733.44, 733.46, 733.47, 733.49, Florida Statutes, by providing that accounts and vouchers shall not be filed with accountings but shall be retained by the personal representative and shall be available at trial of objections to accountings.

Which was read the first time by title only and referred to the Committee on Judiciary "A."

By Senator Stenstrom—

S. B. No. 284—A bill to be entitled An Act relating to probate law; amending Section 731.28, Florida Statutes, by adding a new paragraph thereto; providing for distribution of funds where it appears that the alien would not receive the benefit of the inheritance; fixing an effective date.

Which was read the first time by title only and referred to the Committee on Judiciary "A."

By Senator Stenstrom—

S. B. No. 285—A bill to be entitled An Act relating to probate law; repealing Subsection (3) of Section 731.35, Florida Statutes (Chapter 57-408, Laws of 1957).

Which was read the first time by title only and referred to the Committee on Judiciary "A."

By Senator Stenstrom—

S. B. No. 286—A bill to be entitled An Act relating to probate law: amending Sections 745.24, 745.25, 745.27, 745.28, 745.29, Florida Statutes, by providing that accounts and vouchers shall not be filed with accountings but shall be retained by guardians and shall be available at trial of objections to accountings.

Which was read the first time by title only and referred to the Committee on Judiciary "A."

By Senator Stenstrom—

S. B. No. 287—A bill to be entitled An Act relating to probate law amending Subsection (1) of Section 731.35, Florida Statutes, by adding a new paragraph thereto providing an additional period of sixty days wherein the widow may elect to take dower; by repealing Subsection (3); fixing an effective date.

Which was read the first time by title only and referred to the Committee on Judiciary "A."

By Senator Dickinson—(By Request)—

S. B. No. 288—A bill to be entitled An Act to amend Sections 11 and 12 of Chapter 222, Florida statutes, 1955, providing an exemption from attachment or garnishment or other process of wages, salaries or compensation for personal services of a head of family who is resident of the State and further providing that twenty-five per centum (25%) of such wages, salaries or compensation for personal services in excess of one hundred dollars (\$100) per month, or its equivalent, shall be subject to attachment, garnishment or other process and providing an exception and to make the act effective upon its becoming a law.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Brackin—

S. B. No. 289—A bill to be entitled An Act to amend Section 465.071, Florida Statutes, relating to qualification of applicants for the State Board of Pharmacy examinations, by qualifying certain persons having a degree in pharmacy; who have been registered pharmacists in other states for a prescribed period; and who have resided in Florida and been employed under registered pharmacists for a prescribed period; and fixing an effective and expiration date.

Which was read the first time by title only and referred to the Committee on Public Health.

By Senators Beall, Johns, Brackin, Clarke, Cross, Rawls, Melton, Stratton, Kicliter, Hodges, Boyd, Knight, Carlton, Adams, Sutton, Connor, Hair, Eaton, Branch, Stenstrom, Dickinson and Bronson—

Senate Concurrent Resolution No. 290:

A CONCURRENT RESOLUTION COMMENDING THE GREEK NATION AND DESIGNATING MARCH 25 OF EACH YEAR AS GREEK INDEPENDENCE DAY IN THE STATE OF FLORIDA.

WHEREAS, The nation of Greece has made contributions of the highest ideals and human dignity, unparalleled in the annals of history, to the people of the world, and

WHEREAS, The early Greek nation gave birth to, nurtured and shared with the rest of the world the highest principles of democracy, freedom, ethics, culture, art, literature and science, and

WHEREAS, The Greek nation has from its early birth down through its long and courageous history taught the civilized peoples of the earth that the human will and spirit is unconquerable, and

WHEREAS, Greece became an independent modern nation on March 25, 1821, and

WHEREAS, Its example in the battle against Communist aggression marks one of the most disastrous defeats totalitarianism has, in recent years, experienced, and

WHEREAS, Representatives of the Greek nation were so essential in the development of the sponge industry which contributes heavily to Florida's economy, and

WHEREAS, The culture, understanding and intellect of the people of Florida have been enriched by the contributions of these people, NOW, THEREFORE,

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the legislature recognize and set apart March 25 of every year as "Greek Independence Day"; and that a copy of this resolution, under the seal of the legislature be forwarded to the Greek-American Progressive Association and the American-Hellenic Educational Progressive Association.

Which was read the first time in full.

Senator Beall moved that the rules be waived and Senate Concurrent Resolution No. 290 be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 290 was read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

Which was agreed to and Senate Concurrent Resolution No. 290 was adopted, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Brackin—

S. B. No. 291—A bill to be entitled An Act relating to taxes on gasoline and like products; amending Subsection (3) of Section 208.44, Florida Statutes, by providing for the distribution of the one (1) cent additional tax upon gasoline or other like products of petroleum; providing an effective date.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways and the Committee on Finance and Taxation.

By Senator Brackin—

S. B. No. 292—A bill to be entitled An Act relating to the sale of county or city owned utilities in all counties in the State having a population of not less than eighteen thousand five hundred (18,500) nor more than twenty thousand (20,000) inhabitants, according to the latest official state-wide decennial census; providing a method for the regulation of the sale of county or city owned public utilities; providing an effective date.

Which was read the first time by title only.

Senator Brackin moved that the rules be waived and Senate Bill No. 292 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 292 was read the second time by title only.

Senator Brackin moved that the rules be further waived and Senate Bill No. 292 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 292 was read the third time in full.

Upon the passage of Senate Bill No. 292 the roll was called and the vote was:

Yeas—36.

Mr. President	Belser	Branch	Carraway
Adams	Boyd	Bronson	Clarke
Beall	Brackin	Carlton	Connor

Cross	Gibbons	Kelly	Price
Davis	Gresham	Kicliter	Rawls
Dickinson	Hair	Knight	Ripley
Eaton	Hodges	Melton	Stenstrom
Gautier	Houghton	Pearce	Sutton
Getzen	Johns	Pope	Tedder

Nays—None.

So Senate Bill No. 292 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Carlton—

S. B. No. 293—A bill to be entitled An Act to amend Subsection (1) of Section 601.21 Florida Statutes 1957 relating to ratio of soluble solids of temple oranges by changing the ratio from 8 to 1 to 8½ to 1 and fixing an effective date.

Which was read the first time by title only and referred to the Committee on Citrus Fruits.

By Senator Carlton—

S. B. No. 294—A bill to be entitled An Act to amend Section 601.42, Florida Statutes, relating to revocation of registration of any packing house, canning plant or concentrating plant, wherein citrus fruit or citrus products are processed for sale or shipment, and providing an effective date.

Which was read the first time by title only and referred to the Committee on Citrus Fruits.

By Senator Carlton—

S. B. No. 295—A bill to be entitled An Act to amend Section 601.33, Florida Statutes, relating to obstructing, hindering, resisting, interfering, or the attempt so to do, with any authorized citrus inspector in the discharge of any duty imposed upon him by law or regulation of the Florida Citrus Commission or the Commissioner of Agriculture, so as to extend the provisions of said section to include the canned or concentrated products of such citrus fruit, and providing an effective date.

Which was read the first time by title only and referred to the Committee on Citrus Fruits.

By Senator Johnson—

Senate Joint Resolution No. 296—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 6 OF ARTICLE 3 OF THE CONSTITUTION OF FLORIDA, ESTABLISHING A NEW PERIOD FOR THE ELECTION OF THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES BY PROVIDING FOR ELECTION OF THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES DURING A SENATE AND A HOUSE CAUCUS TO BE HELD WITHIN TEN (10) DAYS AFTER THE GENERAL ELECTION OF 1960 AND EACH ONE THEREAFTER.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following proposed amendment of section 6 of article 3 of the Constitution of Florida be substituted for the present section 6 of article 3 and be submitted to the electors of the state for ratification or rejection at the next general election to be held in 1960, as follows:

Section 6. Organization; officers; rules; expulsion of members, etc.—Each house shall judge of the qualifications, elections and returns of its own members, choose its own officers, and determine the rules of its proceedings. The senate shall, within ten (10) days after the general election to be held in 1960 and each one thereafter, caucus in the state and elect the president of the senate, who shall be its presiding officer. The house of representatives shall, within ten (10) days after the general election to be held in 1960 and each one thereafter, caucus in the state and elect the speaker of the house of representatives who shall be its presiding officer. Five (5) days subsequent to the election of the president of the senate and the speaker of the house of representatives, the secretary of the state shall administer to the persons so elected an oath of office. Each house may punish its own members for disorderly conduct and each house with the concurrence of two-thirds (2/3) of all its members present, may expel a member.

Which was read the first time in full and referred to the Committee on Constitutional Amendments and Governmental Reorganization.

By Senator Boyd—

S. B. No. 297—A bill to be entitled An Act relating to bedding inspection; amending Subsections (3) and (4) of and adding Subsections (15) and (16) to Section 556.02; amending paragraph (a) of Subsection (1) of Section 556.05; amending Subsection (3) of Section 556.06; amending Section 556.06, by renumbering the present Subsection (5) as Subsection (6) and adding a new Subsection (5), all Florida Statutes; providing for definition of certain terms, labeling of bedding, registration of supply dealers and wholesalers, separate registration for each classification or operation; designating processed filling materials as included within the Act; providing a penalty; providing an effective date.

Which was read the first time by title only and referred to the Committee on Public Health.

By Senator Rawls—(By Request)—

Senate Joint Resolution No. 298—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE V OF THE CONSTITUTION OF FLORIDA RELATING TO THE JUDICIAL DEPARTMENT OF THE GOVERNMENT.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following amendment to Article V of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of this state for ratification or rejection at the next general election to be held in November of 1960, that is to say:

#### ARTICLE V.

#### JUDICIAL DEPARTMENT

**SECTION 1. Courts.**—The judicial power of the State of Florida is vested in a supreme court, district courts of appeal, circuit courts, county courts, and small claims and magistrate courts. The legislature shall establish no other class of courts, except that it may authorize or establish courts for the trial of offenses under municipal ordinances and it may grant to any commission judicial power in matters connected with the function of its office.

**SECTION 2. Administration.**—The supreme court is vested with and, in accordance with rules of that court, shall exercise general administrative supervision over the business of all courts of this state, including the power to make temporary assignments of justices and judges to any court, provided that no justice or judge may without his consent be assigned to any court of a class subordinate to that of the court to which he was appointed or elected, and provided, further, that a judge of a juvenile and domestic relations division of the circuit court may only be so assigned to hear juvenile or domestic relations matters.

Any retired justice or judge may, with his consent, be assigned to judicial service in any court.

**SECTION 3. Practice and procedure.**—The practice and procedure in all courts shall be governed by rules adopted by the supreme court.

#### SECTION 4. Supreme Court.—

(1) **Organization.** The supreme court shall consist of seven members, one of whom shall be the chief justice. Five justices shall constitute a quorum, but the concurrence of four shall be necessary to a decision.

(2) **Jurisdiction.** Appeals from trial courts to the supreme court may be taken as a matter of right only from judgments imposing the death penalty, from final judgments or decrees, including those entered on review of administrative action, directly passing upon the validity of a state statute or a federal statute or treaty or construing a controlling provision of the Florida or federal constitution, and from final judgments or decrees in proceedings for the validation of bonds and certificates of indebtedness. The supreme court may directly review interlocutory orders or decrees passing upon matters which

upon a final judgment or decree would be directly appealable to the supreme court. In all direct appeals and reviews of interlocutory orders or decrees, the supreme court shall have such jurisdiction as may be necessary to complete determination of the cause on review.

Appeals from the district courts of appeal to the supreme court may be taken as a matter of right only from decisions initially passing upon the validity of a state statute or a federal statute or treaty or initially construing a controlling provision of the Florida or federal constitution. The supreme court may review by certiorari any decision of a district court of appeal that affects a class of constitutional or state officers, that passes upon a question certified by the district court appeal to be of great public interest, or that is in direct conflict with a decision of another district court of appeal or of the supreme court on the same point of law, and may issue writs of certiorari to commissions established by law.

Appellate decisions of the circuit courts may be appealed to the supreme court as a matter of right only when such decisions initially pass upon the validity of a state statute or a Federal statute or treaty, or initially construe a controlling provision of the Florida or federal constitution.

The supreme court may issue writs of mandamus and quo warranto when a state officer, board, commission, or other agency authorized to represent the public generally, or a member of any such board, commission, or other agency is named as respondent, and writs of prohibition to commissions established by law, to the district courts of appeal, and to the trial courts when questions are involved upon which a direct appeal to the supreme court is allowed as a matter of right.

The supreme court may issue all writs necessary or proper to the complete exercise of its jurisdiction.

The supreme court or any justice thereof may issue writs of habeas corpus returnable before the supreme court or any justice thereof, or before a district court of appeal or any judge thereof, or before any circuit judge.

The supreme court shall provide by rule for the transfer of any matter to the proper court when the jurisdiction of a court has been improvidently invoked.

(3) **Chief justice.** The chief justice of the supreme court shall be chosen by the members of the court and shall serve for a term of two years. In the event of a vacancy, a successor shall be chosen within sixty days for a like term. During a vacancy or whenever the chief justice is unable to act for any reason, the justice longest in continuous service and able to act shall act as chief justice.

(4) **Clerk and marshal; process.** The supreme court shall appoint a clerk and a marshal who shall hold office during the pleasure of the court and perform such duties as the court directs. Their compensation shall be fixed by law. The marshal shall have the power to execute the process of the court throughout the state, and in any county may deputize the sheriff or a deputy sheriff for such purpose.

#### SECTION 5. District courts of appeal.—

(1) **Appellate districts.** The state shall be divided into three or more appellate districts composed of contiguous counties as the legislature may prescribe.

(2) **Organization and number of judges.** A district court of appeal shall be organized in each appellate district. There shall be at least three judges of each district court of appeal. Three judges shall constitute a quorum, and the concurrence of a majority of those participating shall be necessary to a decision. The court shall hold at least one session every year in each judicial circuit within the district wherein there is ready business to transact.

(3) **Jurisdiction.** Final judgments or decrees of trial courts not directly appealable to the supreme court or to a circuit court and final orders and decrees pertaining to probate matters or to estates of minors and incompetents may be taken to the district court of appeal as a matter of right.

The supreme court shall provide for expeditious and inexpensive procedure in appeals to the district courts of appeal, and may provide for review by such courts of interlocutory orders or decrees in matters reviewable by the district courts of appeal.

The district courts of appeal shall have such powers of direct review of administrative action as may be provided by law.

A district court of appeal or any judge thereof may issue writs of habeas corpus returnable before that district court of appeal or any judge thereof, or before any circuit judge in that district. A district court of appeal may issue writs of mandamus, certiorari, prohibition and quo warranto, and also all writs necessary or proper to the complete exercise of its jurisdiction.

(4) **Clerks and marshals.** Each district court of appeal shall appoint a clerk and a marshal who shall hold office during the pleasure of the court and perform such duties as the court may direct. Their compensation shall be fixed by law. The marshal shall have power to execute the process of the court throughout the state, and in any county may deputize the sheriff or a deputy sheriff for such purpose.

#### SECTION 6. Circuit courts.—

(1) **Judicial circuits.** There shall be sixteen or more judicial circuits, each composed of a county or contiguous counties, provided that the County of Monroe shall constitute one of the circuits. The legislature may create new circuits or reorganize existing circuits, provided that no circuit resulting therefrom shall have less than 100,000 population according to the last census authorized by law.

(2) **Circuit courts.** A circuit court shall be established in each judicial circuit.

(3) **Circuit judges.** The legislature shall provide for one circuit judge in each circuit for each 50,000 population or major fraction thereof, according to the last census authorized by law. The legislature may designate the county of residence of any circuit judge, provided the eligibility of any incumbent to hold office or to succeed himself is not affected.

(4) **Jurisdiction.** The circuit courts shall have:

(a) Original jurisdiction of all justiciable matters not cognizable by other courts, and may exercise any of the jurisdiction of other trial courts to the extent necessary for the complete determination of causes properly before them. They may exercise such extra-territorial jurisdiction as may be prescribed by law.

(b) Power to issue writs of mandamus, injunction, certiorari, prohibition, quo warranto, habeas corpus, and all other writs necessary or proper to the complete exercise of their jurisdiction.

(c) Such appellate jurisdiction and such powers of direct review of administrative action as may be provided by law, provided that appellate jurisdiction specifically given herein to the supreme court or the district courts of appeal may not be conferred upon the circuit courts.

(d) Jurisdiction of such other matters as the legislature may provide by general law of uniform operation in every judicial circuit of the state.

(5) **Juvenile and domestic relations division.** The legislature may establish a juvenile and domestic relations division for any circuit court, to serve in one or more counties of the circuit, and may vest in such division exclusive original jurisdiction over dependent and delinquent children under any age specified by law. The legislature may define offenses committed by children under the specified age as acts of delinquency instead of crime, and may provide for their trial and correction, including confinement, without being limited by the requirements of the constitution having to do with trial by jury, indictment or information, or pleading, practice, or procedure in criminal trials. The legislature may provide that all proceedings in which a child under the specified age is alleged to have violated a law must be brought in the juvenile and domestic relations division, except that the judge of that division shall waive the jurisdiction to adjudicate the issue of the alleged violation of law under conditions prescribed by law or upon the demand of the child involved, made before or at the commencement of the trial. The legislature may provide for the qualification, selection, and appointment of probation officers and other employees of the juvenile and domestic relations division and fix their terms of office and compensation without being limited therein by any conflicting provisions of the constitution as to election or appointment of officers.

The juvenile and domestic relations division shall also have jurisdiction of such divorce or domestic relations cases involving the custody, welfare or support of minors, as may be assigned under rule, either for full or partial determination or for recommendations.

There shall be at least one judge for each juvenile and domestic relations division and he shall be in addition to the number of circuit judges otherwise authorized for the respective circuit.

(6) **Other divisions of circuit court.** Each circuit court may, subject to rules adopted or approved by the supreme court, organize itself into divisions. Judges of any division of a circuit court may serve in any other division of the same court, except that all matters within the exclusive jurisdiction of the juvenile and domestic relations division must be heard by the judge of that division if he is available and able to act with dispatch.

(7) A circuit judge may act as county judge or judge of the small claims and magistrate court in any county within his circuit, in the place of an absent, disabled or disqualified judge or in the event of a vacancy in office.

#### SECTION 7. County courts.—

(1) **County courts.** There shall be a county court in each county, except as hereinafter provided.

(2) **County court judges.** In each county having a county court the legislature may provide for one county judge for each 100,000 population or major fraction thereof according to the last census authorized by law, provided that each such court shall have at least one judge.

#### (3) Jurisdiction.

(a) In each county, the county court shall have jurisdiction:

1. To administer the estates of decedents and testamentary trusts. When necessary to such administration, they may construe wills; determine the title, right of possession and mesne profits of real and personal property involved therein; and, within the civil jurisdiction of the court, adjudicate claims of creditors. During the pendency of such administration, they may determine the title, right of possession, and succession of homestead property of decedents.

2. To exercise such powers in the administration of express inter vivos trusts as the legislature may provide by general law.

3. To adjudicate such matters relating to incompetents and their guardians, including adjudication of incompetency and restoration to competency; to curators; and to the administration of the property of wards, as the legislature may provide by general law.

4. To adjudicate cases relating to forcible entry and unlawful detention of lands and tenements, including landlord and tenant actions, and questions of title to land which are incident thereto.

5. To exercise any of the functions and jurisdiction of the small claims and magistrate courts.

6. To adjudicate misdemeanor cases and such other criminal cases not capital as the legislature may provide by general law.

7. To adjudicate actions at law and proceedings to enforce or foreclose chattle mortgages and liens for labor, services, or materials, provided the demand or value of property involved in such action or proceeding, exclusive of interest, attorneys' fees, and costs, does not exceed such amount as the legislature may provide by general law.

8. To adjudicate such other causes, not in equity, and perform such other functions as the legislature may provide by general law.

(b) In each county not served by a juvenile and domestic relations division of the circuit court, the county court shall exercise the jurisdiction of such a division, except for divorce and domestic relations cases.

(4) **Divisions of county courts.** Each county court may, subject to rules adopted or approved by the supreme court, organize itself into divisions.



(5) **Merger of jurisdiction of county court with circuit court in certain counties.** In any county having a population of more than 100,000, according to the last census authorized by law, the legislature may merge all or any part of the jurisdiction of the county court into the circuit court. In making such merger of jurisdiction, the legislature may increase the number of judges authorized for that circuit court by a number necessary to handle the jurisdiction to be merged, provided that the appointment to fill the resulting circuit court vacancy shall be made from among the county judges of that county who are qualified for the office of circuit judge, and provided further, that the number of county judges authorized shall be appropriately reduced. Whenever the probate jurisdiction of the county court is so merged, the legislature shall provide that such jurisdiction shall be vested in a probate division of the circuit court. When a merger is accomplished in a county within a multi-county judicial circuit, any additional circuit judge shall serve only within that county, except as he may be temporarily assigned, and he shall continue to be elected by the qualified electors of that county.

The legislature may thereafter restore to the county court all or any of the jurisdiction so merged, provided that in counties in which the preceding merger resulted in the abolition of that court, it shall first be reactivated. In making such restoration of jurisdiction to the county court, the legislature may increase the number of judges authorized for that county court by a number necessary to handle the jurisdiction to be restored, provided that the number of circuit judges authorized for the affected circuit shall be appropriately reduced.

(6) A county judge may act as a small claims and magistrate court judge in any such court in his county in place of an absent, disabled, or disqualified judge or in the event of a vacancy in office.

#### SECTION 8. Small claims and magistrate courts.—

(1) **Organization and number of judges.** The legislature may by special act create or abolish a small claims and magistrate court in any county, or in districts thereof. There shall be at least one judge for each such court. Any act creating or abolishing courts or altering the number of districts shall be subject to a county-wide referendum, and no county shall have more than five districts.

(2) **Jurisdiction.** Small claims and magistrate courts may issue process for the arrest of persons charged with any offense, act as committing magistrates as to felonies, adjudicate misdemeanor cases, and adjudicate actions at law in which the demand or value of the property involved exclusive of interest, attorneys fees and costs, does not exceed such amount as the legislature may provide by general law. Where the amount claimed is within this jurisdictional amount, they may adjudicate actions in distress for rent and actions for removal of tenants for non-payment of rent in which there is no question of title to real property. If trial by jury be demanded by a party to a civil action, he shall deposit such reasonable sum as the judge shall fix to secure the payment of all costs incurred by reason of a jury trial. If trial by jury be demanded in a misdemeanor case, it shall be transferred to the county court for such trial.

The supreme court shall provide by rule for simplified, inexpensive, and expeditious proceedings for all matters within the jurisdiction of small claims and magistrate courts.

In such manner and on such conditions as the legislature may prescribe, a municipality may authorize small claims and magistrate courts to issue process and try persons for violations of its ordinances.

(3) **Name of court.** The legislature may change the name of this class of courts.

**SECTION 9. Legislature may provide additional judges.—** In order to promote the efficient administration of justice, the legislature may provide for judges in addition to those authorized herein for any court except the supreme court, but no additional judge shall be provided unless the legislature after study shall expressly find in its enactment that the factors affecting the business of such court have created a permanent need therefor. Upon a subsequent finding that changed conditions have eliminated the need for any such additional judgeship, the legislature may reduce the number of such additional judges, provided that the term of no incumbent shall be affected thereby. In arriving at such findings, the legislature shall consider, among other factors, the geographic area

served by the court, population and population trends, transient population, caseload, backlog of cases, trends in litigation, nature of litigation, and economic conditions in the area. The courts and all other officers and agencies of the state shall, upon request of the legislature, furnish information and recommendations relating to the need for additional judges.

**SECTION 10. State attorneys.—**A state attorney shall be elected by the qualified electors of each judicial circuit for a term of four years. He shall be responsible for the prosecution of all criminal offenses in his circuit, except violation of municipal ordinances, and he shall perform such other duties as the legislature may prescribe. He shall appoint such assistant state attorneys as may be authorized by law, to serve at his pleasure. Assistant state attorneys may, as directed by the state attorney, perform all duties of the state attorney including the signing of indictments and informations in his name. State attorneys and assistant state attorneys shall be members in good standing of The Florida Bar. They shall be paid salaries as provided by law.

The attorney general shall have such power of assignment and of general supervision of state attorneys and assistant state attorneys as may be prescribed by law.

#### SECTION 11. Clerks of court.—

(1) **Clerk of circuit court.** In each county a clerk of the circuit court, who shall also be clerk of the board of county commissioners, recorder, and ex officio auditor of the county, shall be elected by the qualified electors of that county in the same manner as other state and county officials, to serve a term of four years and to fulfill duties prescribed by law.

(2) **Clerk of circuit court in certain counties.** In counties having a population of more than 100,000, according to the last census authorized by law, the legislature may change the name of the elective office of clerk of the circuit court to that of county clerk and transfer all of the court-connected duties thereof to a clerk of the circuit court, to be appointed or removed by the judges of that court. His duties and compensation shall be prescribed by law.

(3) **Clerk of county court.** In each county having a county court, a clerk of said court shall be appointed or removed by the judges of that court. His duties and compensation shall be prescribed by law. The clerk of the circuit court may be appointed to serve also as clerk of the county court.

**SECTION 12. Places of holding court.—**Circuit courts, county courts, and small claims and magistrate courts may hold court anywhere in the county or district, as may be provided by law or by rule adopted or approved by the supreme court.

#### SECTION 13. Eligibility requirements for justices and judges.—

(1) All justices and judges must be citizens of the United States and of this state, and no person shall be eligible for the office of:

(a) Justice of the supreme court or judge of a district court of appeal unless he is and has been for the preceding ten years a member in good standing of The Florida Bar. Judges of district courts of appeal must have resided in their respective districts for at least one year.

(b) Judge of the circuit court, including judge of the juvenile and domestic relations division thereof, unless he is and has been for the preceding five years a member in good standing of The Florida Bar and a resident of the circuit for at least one year.

(c) Judge of the county court unless he is a member in good standing of The Florida Bar.

(2) The legislature may require judges of small claims and magistrate courts in any county to be members in good standing of The Florida Bar, and it may by general law prescribe additional qualifications for judges of the juvenile and domestic relations divisions of the circuit courts.

(3) No senator or member of the house of representatives otherwise qualified shall be considered ineligible for appointment or election to any judicial office on the sole ground that the office may have been created or its emoluments increased during his term as a legislator.

#### SECTION 14. Vacancies in judicial offices; how filled.—

When the office of any judge shall become vacant from any cause, the successor to fill such vacancy shall be appointed by the governor for the full remainder of the unexpired term of the justice or judge whose death, resignation, retirement or removal for any cause created such vacancy. Whenever an additional judge is provided by law, he shall be appointed by the governor to serve for the full remaining term of the class of judges, or group within a class, in the case of judges of district courts of appeal, to which the appointment is made.

**SECTION 15. Election of justices and judges; terms of office.**—Justices and judges shall be elected by the qualified electors of the area served by the court to which they are elected, in the manner and at such times as prescribed by law, provided that judges of the juvenile and domestic relations division and judges of the probate division of a circuit court shall be elected to such divisions by the electors of the county or counties served by such divisions. The term of office for all justices and judges shall be six years, except that the term for judges of small claims and magistrate courts shall be four years.

**SECTION 16. Retirement and suspension of judges.**—Notwithstanding the provisions of this article relating to terms of office, the following shall apply:

(1) All justices and judges shall automatically retire at age 70.

(2) Subject to rules of procedure to be established by the supreme court, and after notice and hearing, any justice or judge may be retired for disability at retirement pay to be fixed by law, which shall not be less than two-thirds of his then compensation if he has served for ten years or more, or any justice or judge subject to impeachment may be suspended for cause without pay until articles of impeachment are filed with the senate. If the house of representatives shall adjourn sine die without filing articles of impeachment with the senate, or the senate shall acquit him, the suspended justice or judge shall resume the duties of his office, unless his term shall have expired, and shall suffer no loss of salary or compensation in consequence of such suspension.

Such retirement or suspension shall be adjudged by a commission to be composed of one justice of the supreme court, other than the chief justice, selected by that court, two judges of the district courts of appeal selected by the judges of those courts, and two circuit judges and two county court judges selected by the supreme court. Appointments to the commission shall be for terms of two years, except that appointments to fill vacancies shall be for the unexpired terms. No member of the commission shall be eligible to succeed himself.

Said commission shall be convened upon order of the supreme court within twenty days after the filing of a petition showing probable cause for disability, retirement, or suspension.

3. Justices of the supreme court and judges of district courts of appeal and circuit courts shall be liable to impeachment for any misdemeanor in office.

**SECTION 17. Prohibited activities of judges.**—Justices of the supreme court and judges of the district courts of appeal and circuit courts shall devote full time to their judicial duties and they shall not engage in the practice of law, hold any office or position of profit under this state or the United States, or hold office in any political party. For purposes of this section, compensation for services in the state militia or in the armed forces of the United States or other defense agencies recognized by the supreme court for such periods of time as may be determined by the supreme court shall not be deemed profit.

The legislature may impose any similar prohibitions with respect to judges of other courts.

**SECTION 18. Judicial salaries and expenses.**—Justices of the supreme court and judges of the district courts of appeal and circuit courts shall receive for their services salaries provided by law. Judges of the county courts and small claims and magistrate courts shall receive such salaries for their judicial services and such compensation for any non-judicial services as may be provided by law. Salaries of judges of the circuit courts, county courts and small claims and magistrate courts may be supplemented by any county or counties when authorized by the legislature. A retired justice or judge assigned to active judicial service shall receive as additional

compensation the difference between his normal retirement benefits and the compensation paid to other members of the court to which he is assigned. All judicial officers shall be paid such actual and necessary expenses as may be authorized by law.

Salaries of judicial officers shall not be diminished during the terms for which they were elected or appointed, unless diminished by general law applying uniformly to all salaried officers of the state.

**SECTION 19. Juries.**—Except as otherwise provided in this constitution, the number of jurors for trial of causes in any court may be fixed by general law but shall not be less than six, provided that the parties to a cause may stipulate for trial by a lesser number.

**SECTION 20. Admission and discipline of attorneys.**—The supreme court shall have exclusive jurisdiction over the admission to the practice of law and the discipline of persons admitted. It may provide for an agency to handle admissions subject to its supervision. It may also provide for the handling of disciplinary matters in the circuit courts and the district courts of appeal, or by commissions consisting of members of the bar to be designated by it, the supreme court, subject to its supervision and review.

**SECTION 21. Schedule.**—

(1) Except as otherwise provided in this schedule, this article shall become effective on the first day of July, 1961, and shall replace all of Article V, and shall supersede any other provisions of the present constitution of Florida in conflict herewith.

(2) On the effective date of this article:

(a) All courts, except those authorized by this article, shall be abolished, and all their jurisdiction, judicial functions, powers, and duties shall be transferred to the respective courts in which the same are vested hereunder. The legislature shall merge the jurisdiction and judges of any new courts which may be created prior to the effective date of this article into the court authorized herein having jurisdiction with which that of the new court would be most compatible. Until otherwise provided by law, all non-judicial functions and duties vested by law in county judges or in their courts shall be transferred to the county courts of the respective counties.

(b) Each court into which jurisdiction of other courts is transferred shall succeed to jurisdiction of all matters then pending, with full authority to dispose of them and to execute all orders, judgments, and decrees theretofore entered by the predecessor courts.

(c) All records and other properties under the control of the courts hereby abolished, or any officer thereof, shall be transferred to the clerk of the appropriate court.

(3) Until changed by law, the circuit court shall have appellate jurisdiction of all judgments of the county courts in misdemeanor cases and in actions at law for an amount within the jurisdiction of small claims and magistrate courts, and all judgments of small claims and magistrate courts and municipal courts, and such powers of direct review of administrative action as provided by law.

(4) Until changed by law, the jurisdiction of the several courts as to criminal cases and as to civil cases, expressed in terms of the maximum amount of the demand or value of property involved, exclusive of interest, attorneys' fees, and costs, shall be as follows, provided that in criminal matters, county judges who are not members of The Florida Bar shall be limited to misdemeanors:

(a) In Dade County, all criminal cases not capital and five thousand dollars, respectively.

(b) In Duval County, all criminal cases not capital and three thousand dollars, respectively.

(c) In Broward, Hillsborough, Monroe, Orange, Palm Beach and Polk Counties, all criminal cases not capital and one thousand dollars, respectively.

(d) In Pinellas County, all misdemeanors and five thousand dollars, respectively.

(e) In all other counties, all misdemeanors and one thousand dollars, respectively.



(5) Until changed according to law, the jurisdiction of the small claims and magistrate courts as to civil cases expressed in terms of the maximum amount of the demand or value of property involved, exclusive of interest, attorneys' fees and costs, shall be five hundred dollars.

(6) All provisions of law and rules of court in force on the effective date of this article shall continue in effect until superseded in a manner authorized by this constitution. Until changed in a manner authorized by this constitution, provisions for special procedures as to certain cases or as to proceedings in certain courts shall continue to apply to cases and proceedings of similar nature thereafter pending or brought in the court having jurisdiction under this article.

(7) Until changed according to law, appellate districts and judicial circuits shall continue as they exist and existing justice of the peace districts shall be continued as small claims and magistrate court districts.

(8) Until increased according to law, the number of circuit judges authorized for each judicial circuit shall be fixed at the number which results from this article and schedule, provided that:

(a) The circuit in which the state capital is located shall be entitled to at least one judge in addition to the number authorized by the population formula prescribed by this article; and

(b) The additional circuit judgeship for Duval County which was created by the amendment adopted on November 6, 1956, shall be continued as provided therein until the first vacancy occurring by virtue of the population formula prescribed by this article. At that time, the additional judgeship shall be merged in the total authorization for that circuit, and the incumbent thereof shall fill the vacancy so created for the remainder of his term and shall thereafter be eligible to succeed himself.

This subsection shall go into effect immediately upon the adoption of the present article, and it shall apply retroactively to any vacancy occurring in that circuit by virtue of a census taken prior to its adoption.

(9) Until increased according to law, the number of county judges authorized for each county shall be fixed at the number which results from this article and schedule.

(10) Until changed according to law, the number of small claims and magistrate court judges in each county shall be fixed, respectively, at the number which results from this article and schedule.

(11) All justices and judges holding office prior to the effective date of this article shall, upon its adoption, continue to serve as follows:

(a) Justices of the supreme court and judges of the district courts of appeal and circuit courts shall continue to serve in their respective offices.

(b) Judges of the court of record of Escambia County, other than the judge of the juvenile division, shall be circuit judges of the circuit embracing Escambia County. Until changed according to law, they and their successors in office shall reside in Escambia County.

(c) The judge of the juvenile division of the court of record of Escambia County, all juvenile judges who are not also county judges, and all judges of juvenile and domestic relations courts shall be judges of the juvenile and domestic relations divisions of the circuit courts in the respective circuits in which they reside, provided that until otherwise prescribed by law, their jurisdiction shall be limited to the county or counties in which they respectively serve, and provided, further, that any such judge who is not a member of The Florida Bar shall be limited to hearing and determining matters within the jurisdiction of the juvenile and domestic relations division, exclusive of divorce and domestic relation cases.

(d) Judges of all criminal, civil and criminal, and civil courts of record, county judges' courts and courts of crime shall be judges of the county court of the respective counties in which they presently serve.

(e) Justices of the peace shall become judges of the

small claims and magistrate courts and continue to serve in the districts from which elected.

(f) Judges of small claims courts shall become small claims and magistrate court judges at large for the respective counties in which they serve, provided that their jurisdiction in criminal matters and as committing magistrates may be limited by rule of the circuit court, and provided, further, that the office of small claims and magistrate court judge at large may be abolished by the legislature, without local referendum, at any time that the office shall fall vacant or upon making the incumbent judge one of the judges of the small claims and magistrate court for the district within which he resides.

(12) After the effective date of the present article, all justices and judges shall serve for terms which shall terminate as follows:

(a) Justices of the supreme court and judges of the district courts of appeal shall continue their existing terms without interruption.

(b) The terms of all circuit judges and county court judges, including those who become such judges under this schedule, shall expire on the first Tuesday after the first Monday in January, 1967.

(c) The terms of all small claims and magistrate court judges, including those who become such judges under this schedule, shall expire on the first Tuesday after the first Monday in January, 1965.

(13) After the effective date of the present article, all justices and judges shall receive such salaries as shall be provided by law for the office in which they serve.

(14) The provisions of this article relating to eligibility for office shall not apply to any justice or judge holding office on the effective date thereof. Its provisions relating to compulsory retirement of judges shall not apply to any justice or judge in judicial office on June 30, 1957, even though any such judge may by virtue of this article and schedule assume a new judicial office.

(15) Each state attorney, assistant state attorney, county solicitor, and prosecuting attorney in office on the effective date of this article shall continue to hold office until the expiration of his existing term, as follows:

(a) The state attorneys and assistant state attorneys shall continue in such offices.

(b) Elected county solicitors and prosecuting attorneys shall be assistant state attorneys within their respective counties. They shall be subject to the supervision and direction of the state attorney and receive such salaries as may be provided by law.

(16) On the effective date of this article, all counsellors, assistant counsellors, probation officers, assistant probation officers, and other employees of juvenile and juvenile and domestic relations courts not then presided over by county judges shall continue in the same capacities in the juvenile and domestic relations divisions of the circuit courts in the same counties and receive salaries provided by law. The employees of juvenile courts presided over by county judges on the effective date of this article shall continue in the same capacities in the county courts in the same counties and receive salaries provided by law.

(17) The elective clerks of courts abolished by this article, who are in office on the effective date hereof, shall serve for the remainder of the terms for which they were elected or appointed as clerks of the county courts for the counties in which they serve, and during that period they shall receive the salary provided by law, which shall not be at a rate less than that received for the year 1960. After the expiration of their terms, such clerks shall serve at the pleasure of the judges of said courts.

(18) All constables in office on the effective date of this article shall continue to hold office until the expiration of their respective terms and shall respectively be the executive officers for the small claims and magistrate courts of the districts from which they were elected. Until otherwise provided by law, they shall continue to receive compensation as now provided for constables. Upon the expiration of each such term or sooner vacancy, the office shall stand abolished.

(19) For the remainder of his existing term, no officer or employee whose office or position is abolished by this article shall be deprived of any pension rights or other retirement rights by reason of the provisions of this article, and the legislature shall enact the necessary laws to protect such pensions and rights.

(20) In addition to the three district court of appeal judges now authorized, effective on the date of adoption of this article there shall be authorized two additional judges for the second appellate district and two additional judges for the third appellate district. Subsequent to the first Tuesday after the first Monday in November, 1960, the governor shall appoint one judge in each the second and third district for a term expiring on the first Tuesday after the first Monday in January, 1965, which judges shall be identified as Group "A," and one judge in each the second and third district for a term expiring on the first Tuesday after the first Monday in January, 1967, which judges shall be identified as Group "B." The successors of these four judges shall be chosen as otherwise provided for district court of appeal judges and shall serve for full terms.

(21) Prior to the effective date of this article, the legislature shall enact such laws and make such appropriations, and the supreme court shall make such rules, as may be necessary or proper to give effect to its provisions.

Which was read the first time in full and referred to the Committee on Constitutional Amendments and Governmental Reorganization.

By Senator Ripley—

S. B. No. 299—A bill to be entitled An Act permitting the Clerk of the Circuit Court, in his capacity as Clerk of the Board of County Commissioners, to designate an assistant clerk of the board of county commissioners, in all counties of the State of Florida now or hereafter having a population of at least 300,000 inhabitants, except those counties the electors of which have by the Florida Constitution, as now or hereafter in effect, been granted power to adopt a home rule charter of government; providing for the qualifications, duties, bond, compensation and status of the assistant clerk of the board of county commissioners; and repealing conflicting Laws.

Which was read the first time by title only.

Senator Ripley moved that the rules be waived and Senate Bill No. 299 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 299 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 299 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 299 was read the third time in full.

Upon the passage of Senate Bill No. 299 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So Senate Bill No. 299 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Kicliter—

S. B. No. 300—A bill to be entitled An Act relating to the Florida Citrus Code, by removing limes from the definition of the term citrus fruits and from the operation and effect of the Florida Citrus Code; amending Sections 601.03(7), 601.03(41), 601.14(2), 601.79(1), 601.88, and 601.0101, and to

repeal Sections 601.03(25), 601.15(3)(e), 601.23, 601.28(1)(c), and 601.28(1)(d), Florida Statutes; and providing an effective date.

Which was read the first time by title only and referred to the Committee on Citrus Fruits.

By Senator Ripley—

S. B. No. 301—A bill to be entitled An Act amending Section 2 of Chapter 57-853, Acts of 1957, relating to the employment, duties and salary of special investigators for the State Attorney of all judicial circuits of the State embracing and including two or more counties in which is one county having a population of three hundred thousand (300,000) or more inhabitants, according to the latest official State-wide decennial census, which amendment relates to the salary of said special investigators; providing an effective date.

Which was read the first time by title only.

Senator Ripley moved that the rules be waived and Senate Bill No. 301 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 301 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 301 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 301 was read the third time in full.

Upon the passage of Senate Bill No. 301 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So Senate Bill No. 301 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Dickinson—

Senate Joint Resolution No. 302—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 2 OF THE STATE CONSTITUTION, TO PROVIDE FOR ORIGINAL ABSENTEE REGISTRATION OF ELECTORS.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That Article VI, Section 2 of the State Constitution be amended as follows, is hereby agreed to and shall be submitted to the electors of the state for ratification or rejection at the general election of November, 1960:

SECTION 2. **Registration of electors.**—The legislature, at its first session after the ratification of this constitution, shall provide by law for the registration of all the legally qualified voters in each county, and for the returns of elections; and shall also provide that after the completion, from time to time, of such registration, no person not duly registered according to law shall be allowed to vote.

The legislature may provide for the registration of electors outside the territorial jurisdiction of the State of Florida.

Which was read the first time in full and referred to the Committee on Constitutional Amendments and Governmental Reorganization.

By Senator Johns—(By Request)—

S. B. No. 303—A bill to be entitled An Act to legalize, ratify, confirm and validate all alcoholic beverage licenses issued

prior to January 1, 1955, the legality of which has subsequently been disputed by the State Beverage Department of the State of Florida.

Which was read the first time by title only and referred to the Committee on Temperance.

By Senator Branch—

S. B. No. 304—A bill to be entitled An Act relating to the Florida Board of Forestry; providing that the board may lease mineral interests within the Blackwater River State Forest to lessees of the United States' interest in said minerals, notwithstanding the provisions of Sections 253.51-253.61, Florida Statutes; providing that the concurrence of the trustees of the Internal Improvement Fund shall not be required; and providing an effective date.

Which was read the first time by title only and referred to the Committee on Forestry and Parks and the Committee on Oil and Natural Resources.

By Senator Branch—

S. B. No. 305—A bill to be entitled An Act relating to the duties and powers of the Florida Board of Forestry; amending Section 589.011, Florida Statutes, by adding Subsections (5) and (6), granting additional powers; providing an effective date.

Which was read the first time by title only and referred to the Committee on Forestry and Parks.

By Senator Branch—

S. B. No. 306—A bill to be entitled An Act relating to Florida Board of Forestry; amending Chapter 589, Florida Statutes, by adding Section 589.061, providing for the establishment of a working capital fund in the State Treasury.

Which was read the first time by title only and referred to the Committee on Forestry and Parks and the Committee on Appropriations.

By Senator Branch—

S. B. No. 307—A bill to be entitled An Act relating to the Florida Forest Service; repealing Section 95.25, Florida Statutes, relating to cooperative fire protection as adverse possession.

Which was read the first time by title only and referred to the Committee on Forestry and Parks and the Committee on Judiciary "A."

By Senator Cross—

S. B. No. 308—A bill to be entitled An Act relating to the boundaries and corporate limits of the City of Gainesville; amending Section 6 of Chapter 12760, Laws of Florida, Acts of 1927, the same being an Act entitled, "An Act to abolish the present municipal government of the City of Gainesville, in the County of Alachua, in the State of Florida, and to create, establish and organize a municipality to be known and designated as the City of Gainesville, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges", by including additional territory within the boundaries and corporate limits of the City of Gainesville, and providing that all property located within said boundaries or corporate limits shall be liable for all indebtedness of said city whether or not said additional territory so included was included within the said boundaries and corporate limits at the time said indebtedness was incurred.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 308 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Cross moved that the rules be waived and Senate Bill No. 308 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 308 was read the second time by title only.

Senator Cross moved that the rules be further waived and Senate Bill No. 308 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 308 was read the third time in full.

Upon the passage of Senate Bill No. 308 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So Senate Bill No. 308 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Cross—

S. B. No. 309—A bill to be entitled An Act to authorize the judge of the municipal court of the City of Gainesville, Florida, to issue search warrants for search and seizure within the corporate limits of the City of Gainesville, Florida, of places, vehicles or things to be searched in the manner, and upon the same terms, grounds and conditions, as prescribed by Chapter 933, Florida Statutes Annotated, 1941, and amendments thereof, and in case of a misdemeanor or violation of an ordinance of the City of Gainesville, being committed to make the same returnable before himself, and in the case of a felony being committed, to make the same returnable before the county judge of Alachua County, Florida, or any judge or magistrate having jurisdiction to try, or hold a preliminary hearing upon such felony.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 309 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Cross moved that the rules be waived and Senate Bill No. 309 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 309 was read the second time by title only.

Senator Cross moved that the rules be further waived and Senate Bill No. 309 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 309 was read the third time in full.

Upon the passage of Senate Bill No. 309 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So Senate Bill No. 309 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Cross—

S. B. No. 310—A bill to be entitled An Act relating to the City of Gainesville; amending the Charter of said City by adding thereto a new subsection authorizing said City to enter into mutual aid contracts for reciprocal aid in extinguishing fires and to send its fire-fighting equipment and personnel outside of its corporate limits for such purpose.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 310 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Cross moved that the rules be waived and Senate Bill No. 310 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 310 was read the second time by title only.

Senator Cross moved that the rules be further waived and Senate Bill No. 310 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 310 was read the third time in full.

Upon the passage of Senate Bill No. 310 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So Senate Bill No. 310 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Cross—

S. B. No. 311—A bill to be entitled An Act relating to the City of Gainesville, amending the charter of said city by adding thereto a new subsection authorizing said city to provide fire protection and other governmental services beyond its corporate limits and to enter into contracts therefor.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 311 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Cross moved that the rules be waived and Senate Bill No. 311 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 311 was read the second time by title only.

Senator Cross moved that the rules be further waived and Senate Bill No. 311 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 311 was read the third time in full.

Upon the passage of Senate Bill No. 311 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So Senate Bill No. 311 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Cross—

S. B. No. 312—A bill to be entitled An Act to repeal Chapter 27383, Laws of Florida, Special Acts of 1951, the same being An Act providing that tax levied by the Board of County Commissioners of Alachua County for road and bridge purposes need not be divided with the towns and cities of said county.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 312 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Cross moved that the rules be waived and Senate Bill No. 312 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 312 was read the second time by title only.

Senator Cross moved that the rules be further waived and Senate Bill No. 312 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 312 was read the third time in full.

Upon the passage of Senate Bill No. 312 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So Senate Bill No. 312 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Cross—

S. B. No. 313—A bill to be entitled An Act providing for the extension of the corporate limits of the City of Gainesville, Florida; establishing methods for the annexation of land to said city; describing specific areas to be annexed; requiring separate elections in said specific areas and in the city as conditions precedent to the annexation of the lands included within said specific areas; prescribing the dates and manner in which said elections are to be held; providing for the continuing authority of said city to annex contiguous lands and providing the manner in which such continuing authority to annex shall be exercised; declaring the jurisdiction and powers of said city over areas annexed and the property located therein and providing for referenda.

Which was read the first time by title only.

Senator Cross moved that the rules be waived and Senate Bill No. 313 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 313 was read the second time by title only.

Senator Cross moved that the rules be further waived and Senate Bill No. 313 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 313 was read the third time in full.

Upon the passage of Senate Bill No. 313 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So Senate Bill No. 313 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sutton—

S. B. No. 314—A bill to be entitled An Act concerning the taking of depositions in this State to be used in any foreign jurisdiction and to make uniform the law with reference thereto.

Which was read the first time by title only and referred to the Committee on Judiciary "B."

By Senator Sutton—

S. B. No. 315—A bill to be entitled An Act relating to the lien and enforcement of recorded tax executions, and amending Section 199.23, Florida Statutes.

Which was read the first time by title only and referred to the Committee on Judiciary "B" and the Committee on Finance and Taxation.

By Senator Sutton—

S. B. No. 316—A bill to be entitled An Act relating to the effect of the addition of the words "trustee" or "as trustee" to the designation of the grantee, transferee, assignee or mortgagee of real property or interests therein and of tangible personal property in connection therewith, providing authority for the recordation of decalations of trust, and amending Section 689.07, Florida Statutes.

Which was read the first time by title only and referred to the Committee on Judiciary "B."

By Senator Houghton—

S. B. No. 317—A bill to be entitled An Act to apportion the representation of the State of Florida in the Senate; amending Section 10.01, Florida Statutes; providing an effective date.

Which was read the first time by title only and referred to the Committee on Constitutional Amendments and Governmental Reorganization.

By Senator Houghton—

S. B. No. 318—A bill to be entitled An Act relating to the recordation of instruments in this state; amending Section 695.03, Florida Statutes, by providing that instruments executed outside of this state are eligible for recordation upon proof of due acknowledgment in state of execution.

Which was read the first time by title only and referred to the Committee on Judiciary "A."

By Senator Carraway—

S. B. No. 319—A bill to be entitled An Act relating to Game and Fresh Water Fish Commission; amending Section 372.911, Florida Statutes, providing for rewards for information leading to the conviction of law violators; providing effective date.

Which was read the first time by title only and referred to the Committee on Game and Fisheries.

By Senator Ripley—(By Request)—

S. B. No. 320—A bill to be entitled An Act for the relief of Pauline H. Bullard, a resident of Jacksonville Beach, Duval County, Florida, and providing appropriation for injuries and damages sustained by her by reason of the negligent operation of a bridge by the State Road Department of Florida and providing for the payment of same, and providing an effective date.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 17, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Houghton—

S. B. No. 140—A bill to be entitled An Act to amend Chapter 23513, Laws of Florida, Special Acts of 1945, which Act established the Town of Redington Beach, Pinellas County, Florida, and created and established a municipal corporation to be known as the Town of Redington Beach, Pinellas County, Florida, and adding thereto a Section 26, making legislative findings with respect to the natural scenic and aesthetic setting of said town and its present adaptability to single family residences and its present zoning laws respecting single family residences and providing that no amendment or other change of said zoning ordinances may be made except upon a duly adopted and approved resolution of the Board of Commissioners of the said town effecting said change and said resolution being submitted to a vote of the registered voters of said town for approval or disapproval and further providing how and in what manner said single family residence zoning ordinances may be changed and providing for the repeal of all laws or parts of laws in conflict herewith and providing for a referendum of the qualified electors of the town to vote for ratification of this Act before the same becomes effective.

Also—

By Senator Houghton—

S. B. No. 141—A bill to be entitled An Act to amend Chapter 26180, Laws of Florida, Special Acts of 1949, entitled "Relating to the Town of Redington Beach, Pinellas County, Florida by amending Sections 4, 20, 21 and 22, and repealing Section 23 of Chapter 23513, Laws of Florida 1945, being "An Act Abolishing the Town of Redington Beach in Pinellas County, Florida, as now established, and to create and establish a municipal corporation to be known as the Town of Redington Beach in Pinellas County, Florida: to prescribe the form of government and to confer certain powers upon said municipality and its officers and to provide a charter for the carrying into effect of the provisions of this Act, and validating and continuing ordinances and resolutions heretofore passed by the Board of Aldermen of the Town of Redington Beach", and providing for the levy, assessment and collection of licenses, fees or taxes for the conduct of business, professions or occupations engaged in the Town of Redington Beach, and for the levy, assessment and collection of ad valorem taxes not to exceed five (5) mills upon dollar of assessed value, upon real and personal property within the corporate limits of the Town of Redington Beach, and use of funds derived therefrom, and calling an election at which the qualified voters of the Town of Redington Beach shall accept or reject the provisions hereof", by amending Section 6 thereof so as to authorize the Town of Redington Beach annually for each calendar year, beginning with the calendar year 1960 and each calendar year thereafter, to assess, levy and collect ad valorem taxes upon all real and personal property within the corporate limits of the Town of Redington Beach in an amount not to exceed eight (8) mills upon the dollar of assessed value,

providing for the repeal of all laws and parts of laws in conflict herewith, and providing for referendum.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bills Nos. 140 and 141, contained in the above message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 20, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Horne and Mitchell of Leon and Craig of St. Johns—

H. B. No. 49—A bill to be entitled An Act relating to funeral directors and embalmers; amending Chapter 470, Florida Statutes, by adding additional sections thereto, to be assigned numbers by the statutory revision department of the Attorney General's office; providing for licensing and regulation by the State Board of Funeral Directors and Embalmers; providing an effective date.

Also—

By Messrs. Horne and Mitchell of Leon and Craig of St. Johns—

H. B. No. 50—A bill to be entitled An Act relating to funeral directors and embalmers; amending Section 470.10(1), Florida Statutes; providing for the destruction of certain papers and records; providing for annual renewal of licenses to persons engaged in funeral directing and embalming; providing for registering intern trainees or apprentices and setting annual renewal and registration fee; providing penalty for violation; providing an effective date.

Also—

By the Legislative Council and Messrs. Crews of Baker, Chappell of Marion, Herrell of Dade and Ryan of Broward—

H. B. No. 142—A bill to be entitled An Act prohibiting the sale for use in motor vehicles of hydraulic brake fluid below the minimum standard of SAE heavy duty type brake fluid; requiring all containers of brake fluid to be marked; providing for the submission of certified samples to the department of agriculture; providing penalties for violation thereof and providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 49, contained in the above message, was read the first time by title only and referred to the Committee on Public Health.

And House Bill No. 50, contained in the above message, was read the first time by title only and referred to the Committee on Public Health.

And House Bill No. 142, contained in the above message, was read the first time by title only and referred to the Committee on Transportation and Traffic.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 20, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By The Legislative Council and Messrs. Crews of Baker, Chappell of Marion, Herrell of Dade and Ryan of Broward—

H. B. No. 144—A bill to be entitled An Act relating to pedestrian traffic on rural highways; setting forth regulations for the conduct of pedestrians on rural highways; providing for warnings to pedestrians for infractions of such regulations and penalties for violation of such warnings; amending Sections 335.09 and 336.06, Florida Statutes, by adding subsections requiring the posting of signs warning pedestrians on rural highways; and providing an effective date.

Also—

By Mr. Vocelle of Indian River—

H. B. No. 182—A bill to be entitled An Act relating to Prosecuting Attorneys; amending Section 34.11, Florida Statutes; providing compensation in connection with bonds forfeited or estimated; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 144, contained in the above message, was read the first time by title only and referred to the Committee on Public Roads and Highways.

And House Bill No. 182, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "A."

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 17, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Vocelle of Indian River—

H. B. No. 132—A bill to be entitled An Act to amend Sections 443.10 and 443.14, Florida Statutes, relating to unemployment compensation, by providing enabling authority for use of Federal "Reed Act" funds credited to Florida under Section 903 of the Social Security Act, providing conditions and limitations on such use, and providing an effective date.

Also—

By Mr. Vocelle of Indian River—

H. B. No. 48—A bill to be entitled An Act relating to divorce proceedings; repealing Section 65.20, Florida Statutes, which relates to the delay period required prior to taking testimony in said proceedings and providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 132, contained in the above message, was read the first time by title only.

Senator Gautier moved that the rules be waived and House Bill No. 132 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

And House Bill No. 48, contained in the above message,



was read the first time by title only and referred to the Committee on Judiciary "A."

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 20, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Herrell, Eldredge and Hollahan of Dade—

H. B. No. 95—A bill to be entitled An Act relating to motor vehicle license plates; amending Section 320.084, Florida Statutes, by adding Subsection (3) to provide special designations on amputee veterans' License Plates; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 95, contained in the above message, was read the first time by title only and referred to the Committee on Motor Vehicles and the Committee on Finance and Taxation.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 17, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Inman of Orange—

H. B. No. 106—A bill to be entitled An Act to amend Subsection (1) of Section 440.15, Florida Statutes, relating to workmen's compensation for permanent total disability, by providing for suspension or reduction of compensation during periods of employment; and providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 106, contained in the above message, was read the first time by title only and referred to the Committee on Labor and Industry.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 17, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Vocelle of Indian River—

H. B. No. 134—A bill to be entitled An Act to amend Section 215.19, Florida Statutes, relating to Wages on Public Contracts, and providing an effective date.

Also—

By Mr. O'Neill of Marion—

H. B. No. 170—A bill to be entitled An Act relating to Municipalities; authorizing municipalities to require the fencing of private swimming pools; providing an effective date.

Also—

By Mr. Vocelle of Indian River—

H. B. No. 133—A bill to be entitled An Act to amend Section 443.08, Florida Statutes, relating to unemployment compensation; providing for computation of contribution rate factors to fifth decimal place; and providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 134, contained in the above message, was read the first time by title only and referred to the Committee on Labor and Industry and the Committee on State Institutions.

And House Bill No. 170, contained in the above message, was read the first time by title only and referred to the Committee on Cities and Towns.

And House Bill No. 133, contained in the above message, was read the first time by title only.

Senator Gautier moved that the rules be waived and House Bill No. 133 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 17, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By the Legislative Council and Messrs. Crews of Baker, Chappell of Marion, Herrell of Dade and Ryan of Broward—

H. B. No. 148—A bill to be entitled An Act to amend Section 322.34, Florida Statutes, relating to drivers' licenses; providing penalties for driving while license is cancelled, suspended or revoked, and providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 148, contained in the above message, was read the first time by title only.

Senator Eaton moved that the rules be waived and House Bill No. 148 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 17, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

By Messrs. Peacock of Jackson, Reedy of Lake, Stallings of Duval, Fuqua of Calhoun, Drummond of Holmes, Wise and Stewart of Okaloosa, Mitchell of Washington, Kimbrough of Santa Rosa, Nash of Franklin, Walker of Collier, Inman of Gadsden, Chiles, Griffin and Mattox of Polk, Craig and Usina of St. Johns, Rowell of Sumter, Shaffer of Pinellas, McAlpin of Hamilton, Carney of Pinellas, Pruitt of Brevard, Fagan of Alachua, Barron of Bay, Roberts of Suwannee, Harris of Bay, Edmondson of Sarasota, Russell of Pinellas, Inman of Orange, Askins of Nassau, Mitchell and Horne of Leon, Crews of Baker, Eldredge, Hollahan and Herrell of Dade, Cleveland and Frederick of Seminole, Turlington of Alachua, Boylston of Sarasota, Boyd and Knowles of Manatee, Roberts and Blank of Palm Beach, Strickland of Citrus, Jones of Taylor, Hosford of Liberty, Livingston of Highlands, Lancaster of Gilchrist, Markham of Okeechobee, Askew of Escambia, Williams of Columbia, Marshburn of Levy, Stone of Escambia, Cunningham of Monroe, Whitaker of Hillsborough, Scott of Martin, Daniel of Lake, Smith of DeSoto, Anderson of Jefferson, Peavy of Madison, McClain of Pasco, Beck of Putnam, Chaires of Dixie, O'Neill and Chappell of Marion, Hathaway of Charlotte, Shipp of Jackson, Miner of Hendry, Liles of Hillsborough, Peoples of Glades, Williams of Hardee, Mann of Hillsborough, Beasley of Walton, Saunders of Clay, Griffin of Osceola, Ryan of Broward, and Mrs. Johnson of Orange—

H. M. No. 190—A Memorial to the Congress of the United States to pass a Joint Resolution proposing an amendment to the Constitution of the United States reserving to the states exclusive control over public schools.

WHEREAS, On January 27, 1959, Mr. Talmadge, Mr. Byrd of Virginia, Mr. Robertson, Mr. Johnson of South Carolina, Mr. Hill, Mr. Sparkman, Mr. Eastland, Mr. Stennis, and Mr. Long introduced a joint resolution in the Senate of the United States proposing an amendment to the Constitution of the United States reserving to the states exclusive control over public schools, and

WHEREAS, The legislature of Florida is in accord with the purpose and intent of this resolution, NOW, THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the Congress of the United States is requested to pass the joint resolution known as Senate Joint Resolution Thirty-two (32) of the Eighty-sixth Congress and move with all possible haste to provide for ratification of the proposed amendment.

BE IT FURTHER RESOLVED, That copies of this memorial be dispatched to the President of the United States; to the President of the United States Senate; to the Speaker of the United States House of Representatives; and to each of the ablest congressional delegation in the United States Congress, the Florida delegation.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Memorial No. 190, contained in the above message, was read the first time in full and referred to the Committee on Constitutional Amendments and Governmental Reorganization.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 17, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

By Messrs. Rowell of Sumter, Karl of Volusia and Daniel of Lake—

H.C.R. NO. 6—A CONCURRENT RESOLUTION RELATING TO PAYMENT FOR PAINTING PORTRAITS OF SPEAKERS OF THE HOUSE OF REPRESENTATIVES.

WHEREAS, by House Concurrent Resolution No. 1526 of the 1957 legislature, a committee of three (3) Representatives was authorized to have portraits of former Speakers of the House of Representatives painted, and

WHEREAS, this committee has completed its assignment, NOW, THEREFORE,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF FLORIDA, THE SENATE CONCURRING:

Section 1. That the work of the appointed committee is hereby approved and costs validated and the Speaker of the House of Representatives and the Chairman of the Committee on House Administration are hereby authorized and directed to pay the artists employed and the Legislature authorizes such sum as necessary from the legislative appropriation for payment of five hundred dollars (\$500.00) for each portrait submitted and accepted.

Section 2. That a copy of this resolution be filed with the Comptroller and that payment for the above be expedited by the committee.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Concurrent Resolution No. 6, contained in the above message, was read the first time in full and referred to the Committee on Appropriations.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 17, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Roberts and Blank of Palm Beach, Mathews and Stallings of Duval, Reedy of Lake and McClain of Pasco and Mrs. Johnson of Orange—

H. B. No. 64—A bill to be entitled An Act authorizing the chairman of the State Road Department of Florida, in cooperation with the Florida Federation of Garden Clubs, Inc., to designate certain roads and highways as portions of the Blue Star Memorial Highway; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 64, contained in the above message, was read the first time by title only and referred to the Committee on Public Roads and Highways.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 17, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Blank and Roberts of Palm Beach—

H. B. No. 425—A bill to be entitled An Act to amend Chapter 9794, Laws of Florida Acts of 1923, as amended by Chapter 12943, Acts of 1927, Chapter 19931, Acts of 1939, and Chapter 21324, Acts of 1941, pertaining to the municipal charter of the town of Lake Park (formerly Kelsey City), in Palm Beach County, Florida, by providing for the qualifications and appointment of a municipal judge and providing for a referendum for the approval of the Act.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 425, contained in the above message, was read the first time by title only.

Senator Dickinson moved that the rules be waived and House Bill No. 425 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 425 was read the second time by title only.

Senator Dickinson moved that the rules be further waived and House Bill No. 425 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 425 was read the third time in full.

Upon the passage of House Bill No. 425 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 425 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 20, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has granted the request of the Senate and returns herewith—

By Mr. Vocelle of Indian River—

H. B. No. 149—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Indian River County to make improvements on any and all streets, highways, boulevards, avenues, lanes and alleys within subdivisions when said streets, highways, boulevards, avenues, lanes and alleys have been accepted as county roads, including any and all improvements incidental to road purposes under certain terms and conditions; providing for the assessment by special assessments of abutting, adjoining and contiguous or other specially benefited property; providing the method of making said assessments; providing for the approval by petition of seventy-five per cent (75%) of said abutting owners both in number and front footage; providing the method of authorizing and providing said improvements; providing the procedure available to owners affected or to be affected by said improvements or the assessment therefor; providing said assessments shall become a lien against said abutting property

or against property benefited; providing for the enforcements of said liens; and providing other powers and duties of the Board of County Commissioners relative to making of said improvements and assessing said property therefor.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

Senator Kicliter moved that the rules be waived and the Senate immediately reconsider the vote by which House Bill No. 149 passed the Senate on April 14, 1959.

The President put the question: "Will the Senate reconsider the vote by which House Bill No. 149 passed the Senate on April 14, 1959?"

Which was agreed to by a two-thirds vote.

So the Senate reconsidered the vote by which House Bill No. 149 passed the Senate on April 14, 1959.

The question recurred on the passage of House Bill No. 149.

Pending roll call on the passage of House Bill No. 149, by unanimous consent, Senator Kicliter offered the following amendment to House Bill No. 149:

At the end of the Title, strike out the period and add the following: (comma), "providing an effective date."

Senator Kicliter moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Kicliter moved that House Bill No. 149, as amended, be read in full and put upon its passage.

Which was agreed to.

And House Bill No. 149, as amended, was read in full.

Upon call of the roll on the passage of House Bill No. 149, as amended, the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 149 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 17, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Boylston and Edmondson of Sarasota—

H. B. No. 302—A bill to be entitled An Act relating to Sarasota County; amending Chapter 31266, Special Acts of 1955, as amended by Chapter 57-1843, Special Acts of 1957; authorizing the Board of County Commissioners to establish building inspection fees; authorizing employment of a building inspector and personnel; providing for appointment of a building contractor examining board, their qualifications, compensation, removal and duties; providing for examination and licensing of building contractors and specialty contractors, bonding of same, renewal of such licenses and their revocation, exemption of certain persons, and granting of reciprocity in such

licensing to other cities and counties; making it unlawful to engage in building contractor or specialty contractor business in Sarasota County without such a license unless building on own land for own use; defining "building contractor" and "specialty contractor"; providing severability clause, and providing an effective date.

Proof of publication attached.

Also—

By Messrs. Boylston and Edmondson of Sarasota—

H. B. No. 303—A bill to be entitled An Act relating to Sarasota County; amending Sections 4 and 5, Chapter 29530, Special Acts of 1953, as amended by Section 1 and 2, Chapter 31265, Special Acts of 1955, as amended by Section 1 and 2, Chapter 57-1840 Special Acts of 1957; providing for the appointment of an Electrical Contractor Examining Board their qualifications and compensation, and defining their duties; providing for examination and licensing of electrical contractors and limited electrical contractors, together with licensing and examination fees therefor; providing for renewal and revocation of such licenses, and exemption from examination of certain persons; providing for reciprocity with other cities and counties in the licensing of such contractors; making it unlawful to engage in the electrical contractor or limited electrical contractor business without being licensed; defining "electrical contractor" and "limited electrical contractor"; providing for the posting of bond by such contractors and prescribing the form thereof; and providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 302 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 302, contained in the above message, was read the first time by title only.

Senator Price moved that the rules be waived and House Bill No. 302 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 302 was read the second time by title only.

Senator Price moved that the rules be further waived and House Bill No. 302 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 302 was read the third time in full.

Upon the passage of House Bill No. 302 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 302 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 303 when it was introduced in the Senate, and evidence that such Notice has been published was established by the

Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 303, contained in the above message, was read the first time by title only.

Senator Price moved that the rules be waived and House Bill No. 303 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 303 was read the second time by title only.

Senator Price moved that the rules be further waived and House Bill No. 303 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 303 was read the third time in full.

Upon the passage of House Bill No. 303 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 303 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 17, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. McClain of Pasco—

H. B. No. 282— A bill to be entitled An Act to authorize the Board of County Commissioners of Pasco County, Florida to establish an annex of the Court House in the western portion of Pasco County, Florida and to provide for a building in which all of the county offices may establish branch offices to provide for the carrying on of the functions of said offices and to provide for an effective date thereof.

Proof of publication attached.

Also—

By Messrs. Reedy and Daniel of Lake—

H. B. No. 286—A bill to be entitled An Act relating to Lake County; providing for the compensation of the Supervisor of Registration; providing an effective date.

Proof of publication attached.

Also—

By Messrs. Boylston and Edmondson of Sarasota—

H. B. No. 299— A bill to be entitled An Act relating to Sarasota County, authorizing the Board of County Commissioners to designate volunteer fire departments as a public purpose; to dedicate county lands for use by volunteer fire departments following public hearing; and providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 282 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 282, contained in the above message, was read the first time by title only.

Senator Getzen moved that the rules be waived and House Bill No. 282 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 282 was read the second time by title only.

Senator Getzen moved that the rules be further waived and House Bill No. 282 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 282 was read the third time in full.

Upon the passage of House Bill No. 282 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kickliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 282 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 286 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 286, contained in the above message, was read the first time by title only.

Senator Boyd moved that the rules be waived and House Bill No. 286 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 286 was read the second time by title only.

Senator Boyd moved that the rules be further waived and House Bill No. 286 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 286 was read the third time in full.

Upon the passage of House Bill No. 286 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kickliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 286 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 299 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 299, contained in the above message, was read the first time by title only.

Senator Price moved that the rules be waived and House Bill No. 299 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 299 was read the second time by title only.

Senator Price moved that the rules be further waived and House Bill No. 299 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 299 was read the third time in full.

Upon the passage of House Bill No. 299 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kickliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 299 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 17, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Boylston and Edmondson of Sarasota—

H. B. No. 300—A bill to be entitled An Act to authorize the County Commissioners of Sarasota County to levy and collect an annual tax for promoting, advertising and publicizing Sarasota County; repealing Chapter 8841, Laws of Florida, Acts of 1921, and Chapter 11183, Laws of Florida, Acts of 1925; and providing an effective date.

Proof of publication attached.

Also—

By Messrs. Boylston and Edmondson of Sarasota—

H. B. No. 301—A bill to be entitled An Act providing for the establishment and maintenance of a county law library in Sarasota County; declaring the establishment and maintenance of said library to be a public need and for a general county purpose; providing for the manner of raising funds and the expenditure of said funds for said library; providing for the establishment of a special Sarasota County Library Fund to be administered by the Clerk of the Circuit Court; providing for an occupational license tax for members of the Florida Bar practicing law in Sarasota County, its collection,

administration, and allocation to the said fund; providing for a board of trustees to manage said library and to prescribe and enforce rules and regulations pertaining to said library; providing authorization for the Board of County Commissioners to appropriate from the general fund of the county funds for said library; providing for methods of purchase of supplies for said library, including installment purchases and other conditional sales; providing for application of space in the county courthouse for said law library; and providing that all property in anywise acquired for said library be deemed to be held and used as a charitable public trust and exempt from all taxation; and providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 300 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 300, contained in the above message, was read the first time by title only.

Senator Price moved that the rules be waived and House Bill No. 300 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 300 was read the second time by title only.

Senator Price moved that the rules be further waived and House Bill No. 300 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 300 was read the third time in full.

Upon the passage of House Bill No. 300 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 300 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 301 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 301, contained in the above message, was read the first time by title only.

Senator Price moved that the rules be waived and House Bill No. 301 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 301 was read the second time by title only.

Senator Price moved that the rules be further waived and House Bill No. 301 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 301 was read the third time in full.

Upon the passage of House Bill No. 301 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 301 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 20, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has granted the request of the Senate and returns herewith—

By Mr. Strickland of Citrus—

H. B. No. 10—A bill to be entitled An Act authorizing the Board of County Commissioners of Citrus County to grant franchises for water works or sewer systems, or both, in unincorporated areas in said county; to prescribe water and sewer rates and reasonable provisions for operation by the franchise holder; and providing an effective date.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Senator Connor moved that the rules be waived and the Senate immediately reconsider the vote by which House Bill No. 10 passed the Senate on April 14, 1959.

The President put the question: "Will the Senate reconsider the vote by which House Bill No. 10 passed the Senate on April 14, 1959?"

Which was agreed to by a two-thirds vote.

So the Senate reconsidered the vote by which House Bill No. 10 passed the Senate on April 14, 1959.

The question recurred on the passage of House Bill No. 10.

Pending roll call on the passage of House Bill No. 10, Senator Connor moved that the further consideration thereof be informally passed.

Which was agreed to and House Bill No. 10 was placed on the Calendar of Local Bills, pending roll call.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 17, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Nash of Franklin—

H. B. No. 379— A bill to be entitled An Act relating to



Franklin County; providing that oysters shall pass through a licensed wholesale seafood dealer's establishment; providing for a penalty; providing an effective date.

Proof of publication attached.

Also—

By Mr. Scott of Martin—

H. B. No. 397—A bill to be entitled An Act relating to Martin County; providing for the annual inoculation and licensing of all dogs; providing for the impounding and disposition of dogs not licensed; giving the Board of County Commissioners authority to contract with any licensed veterinarian practicing in Martin County for the issuance of such licenses; giving the Board of County Commissioners authority to make rules and regulations to carry out the purposes of this Act; providing penalty for violation and providing for a referendum.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 379 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 379, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

And House Bill No. 397, contained in the above message, was read the first time by title only.

Senator Kicliter moved that the rules be waived and House Bill No. 397 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 397 was read the second time by title only.

Senator Kicliter moved that the rules be further waived and House Bill No. 397 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 397 was read the third time in full.

Upon the passage of House Bill No. 397 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 397 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 20, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Westberry, Mathews and Stallings of Duval—

H. B. No. 418—A bill to be entitled An Act affecting the government of the City of Jacksonville by authorizing and requiring the City Commission and the City Council to place surplus revenues, as herein defined, of the airports and airport facilities of the city in a special fund for the purpose of enlarging, extending, improving and replacing the airports and airport facilities of said city or providing new airports and airport facilities for said city; and authorizing the issuance and sale of certificates of indebtedness or revenue certificates secured by a pledge of revenues required to be placed in said special fund for the purpose of financing the cost of enlarging, extending, improving and replacing the airports and airport facilities of the city or providing new airports or airport facilities for the city; providing effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 418 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 418, contained in the above message, was read the first time by title only.

Senator Ripley moved that the rules be waived and House Bill No. 418 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 418 was read the second time by title only.

Senator Ripley moved that the rules be further waived and House Bill No. 418 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 418 was read the third time in full.

Upon the passage of House Bill No. 418 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 418 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 20, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Fuqua of Calhoun—

H. B. No. 443—A bill to be entitled An Act relating to Calhoun County; creating a port authority with members to be appointed by the county commissioners; defining its rights,

duties and authority and prescribing the method of financing; providing other matters incidental to the purpose; authorizing the Board of County Commissioners to make an annual appropriation; repealing Chapter 57-1208, Laws of Florida, 1957; providing an effective date.

Proof of publication attached.

Also—

By Messrs. Whitaker, Mann and Liles of Hillsborough—

H. B. No. 450—A bill to be entitled An Act affecting the government of the City of Tampa; authorizing the City of Tampa to abate as nuisances weeds, grass or underbrush upon real property within the city, and to place a lien for the costs and expenses of such abatement against the property on which such nuisances exist; providing for the manner and method of collection of the amount of such liens, and validating sanitary liens of the City of Tampa which have been assessed in substantial conformity herewith.

Proof of publication attached.

Also—

By Messrs. Westberry and Stallings of Duval—

H. B. No. 459—A bill to be entitled An Act to amend Section 2 of Chapter 22340, Laws of Florida, Acts of 1943, entitled, "An Act providing for service raises for employees of the city of Jacksonville, Florida", as amended by Chapter 27634, Laws of Florida, Acts of 1951, and as amended by Chapter 57-1456, Laws of Florida, Acts of 1957; and providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 443 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 443, contained in the above message, was read the first time by title only.

Senator Knight moved that the rules be waived and House Bill No. 443 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 443 was read the second time by title only.

Senator Knight moved that the rules be further waived and House Bill No. 443 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 443 was read the third time in full.

Upon the passage of House Bill No. 443 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 443 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill

No. 450 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill 450, contained in the above message, was read the first time by title only.

Senator Gibbons moved that the rules be waived and House Bill No. 450 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 450 was read the second time by title only.

Senator Gibbons moved that the rules be further waived and House Bill No. 450 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 450 was read the third time in full.

Upon the passage of House Bill No. 450 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 450 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 459 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 459, contained in the above message, was read the first time by title only.

Senator Ripley moved that the rules be waived and House Bill No. 459 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 459 was read the second time by title only.

Senator Ripley moved that the rules be further waived and House Bill No. 459 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 459 was read the third time in full.

Upon the passage of House Bill No. 459 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 459 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 20, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Inman and Mrs. Johnson of Orange—

H. B. No. 466—A bill to be entitled An Act relating to the Town of Eatonville, Florida, providing for validation of assessments of taxes, levies and tax sales; providing for authority to foreclose in the Circuit Court all tax suits; providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 466 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 466, contained in the above message, was read the first time by title only.

Senator Sutton moved that the rules be waived and House Bill No. 466 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 466 was read the second time by title only.

Senator Sutton moved that the rules be further waived and House Bill No. 466 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 466 was read the third time in full.

Upon the passage of House Bill No. 466 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 466 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 20, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Mann, Liles and Whitaker of Hillsborough—

H. B. No. 437—A bill to be entitled An Act to amend special Acts of 1945, volume 2, page 1004 of Chapter 23504—(No. 989), Laws of Florida; the same being an act expressly authorizing and empowering the issuance of bonds by the city of Port Tampa only after the approval of 65% of the votes cast in an election in which not less than 75% of the freeholders who are qualified electors residing in the city of Port Tampa shall participate; to amend and decrease the required approval of 65% of the votes cast to the approval of 51% of the votes cast and to decrease the required participation of not less than 75% of the freeholders who are qualified electors residing in the city of Port Tampa to not less than 51%; requiring elections to authorize the issuance of such bonds to be held in the manner prescribed by Section 103.01 to Section 103.18, inclusive, Florida Statutes 1941, with the exception of the percentage of votes required for approval of said bonds; repealing all laws in conflict herewith; providing effective date.

Proof of publication attached.

Also—

By Mr. Markham of Okeechobee—

H. B. No. 438—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Okeechobee County, Florida, to adopt zoning and building regulations in the territory within Okeechobee County which is not included in the corporate limits of any city or town; and authorizing and empowering said Board of County Commissioners to provide said territory into districts and to regulate and restrict the uses of lands, buildings and other structures for trade industry, residence, or other purposes within said districts, and to regulate and restrict the construction, reconstruction, erection, alteration, repair, height, number of stories, size and location of buildings and other structures within said districts and to regulate and restrict the area, dimensions, and the size of lots or tracts of land or yards, and the percentage and portion of lots that may be occupied in connection with the construction and location of buildings or other structures within said districts; to adopt a safety and sanitary code or codes regulating plumbing and electrical installations and other matters proper to be regulated to safeguard the safety, health and welfare of the people; to regulate and restrict the location and alignment of buildings and other structures upon land bordering upon the rights of way of state roads, county roads or any existing, dedicated or proposed roads or streets outside the limits of any municipality of said county; providing for the method of procedure; providing for the appointment of a planning and zoning commission and a board of adjustment; providing for remedies and penalties for violation of this act or of any order, resolution, rule or regulation made under the authority hereby conferred; conferring upon the county commissioners of such county, so far as may be lawfully conferred, the power to prescribe and enforce regulations, rules, orders and resolutions to effectuate the purpose of this Act; authorizing expenditures from county general fund for purpose of defraying the expense of zoning such county and administering the provisions of this Act; and providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 437 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 437, contained in the above message, was read the first time by title only.

Senator Gibbons moved that the rules be waived and House Bill No. 437 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 437 was read the second time by title only.

Senator Gibbons moved that the rules be further waived

and House Bill No. 437 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 437 was read the third time in full.

Upon the passage of House Bill No. 437 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 437 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 438 when it was introduced in the Senate and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 438, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 17, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. McClain of Pasco—

H. B. No. 305—A bill to be entitled An Act designating State Road Number 52 as Schrader Memorial Highway.

Proof of publication attached.

Also—

By Mr. McClain of Pasco—

H. B. No. 304—A bill to be entitled An Act authorizing the Board of County Commissioners of Pasco County to provide for public dumping ground and placing thereon of trash, garbage, and other debris and providing for the use and regulation thereof and to authorize the Board of County Commissioners of said county to provide for, by contract or otherwise, the use of said dumping grounds by any person, firm, or corporation engaged in the business of collecting garbage, trash, or other debris; providing for an effective date thereof.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 305 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 305, contained in the above message, was read the first time by title only.

Senator Getzen moved that the rules be waived and House Bill No. 305 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 305 was read the second time by title only.

Senator Getzen moved that the rules be further waived and House Bill No. 305 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 305 was read the third time in full.

Upon the passage of House Bill No. 305 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 305 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 304 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 304, contained in the above message, was read the first time by title only.

Senator Getzen moved that the rules be waived and House Bill No. 304 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 304 was read the second time by title only.

Senator Getzen moved that the rules be further waived and House Bill No. 304 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 304 was read the third time in full.

Upon the passage of House Bill No. 304 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 304 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 20, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Liles, Mann and Whitaker of Hillsborough—

H. B. No. 221—A bill to be entitled An Act authorizing the City of Tampa to provide for group insurance plans for its employees and officers; providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 221 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 221, contained in the above message, was read the first time by title only.

Senator Gibbons moved that the rules be waived and House Bill No. 221 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 221 was read the second time by title only.

Senator Gibbons moved that the rules be further waived and House Bill No. 221 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 221 was read the third time in full.

Upon the passage of House Bill No. 221 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 221 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Pope moved that the rules be waived and the Senate immediately reconsider the vote by which Senate Bill No. 240 passed the Senate on April 17, 1959.

S. B. No. 240—A bill to be entitled An Act authorizing the City of St. Augustine, Florida, to provide for the sale and distribution of natural gas within and without the limits of said city; authorizing the City of St. Augustine, Florida, to acquire rights of way and establish pipe lines for the acquisition, sale and distribution of natural gas; authorizing the establishment of rates and charges for said utility; authorizing the City of St. Augustine, Florida, to issue revenue bonds of indebtedness for the purposes of this Act to be secured by a pledge of the revenues of such utility; repealing all laws or parts of laws in conflict herewith and providing for a referendum.

The President put the question: "Will the Senate reconsider the vote by which Senate Bill No. 240 passed the Senate on April 17, 1959?"

Which was agreed to by a two-thirds vote.

So the Senate reconsidered the vote by which Senate Bill No. 240 passed the Senate on April 17, 1959.

The question recurred on the passage of Senate Bill No. 240.

Pending roll call on the passage of Senate Bill No. 240, Senator Pope moved that the further consideration thereof be informally passed.

Which was agreed to and Senate Bill No. 240 was placed on the Calendar of Local Bills, pending roll call.

Senator Stenstrom moved that the House of Representatives be requested to return House Bill Nos. 79, 86, 78, 80, 82, 83, 85 and 88 to the Senate for further consideration.

Which was agreed to and it was so ordered.

Senator Gautier moved that the rules be waived and the Senate immediately reconsider the vote by which Senate Bill No. 56 passed the Senate on April 17, 1959.

S. B. No. 56—A bill to be entitled An Act to amend Sections 443.10 and 443.14, Florida Statutes, relating to unemployment compensation, by providing enabling authority for use of federal "Reed Act" funds credited to Florida under Section 903 of the Social Security Act, providing conditions and limitations on such use, and providing an effective date.

The President put the question: "Will the Senate reconsider the vote by which Senate Bill No. 56 passed the Senate on April 17, 1959?"

Which was agreed to by a two-thirds vote.

So the Senate reconsidered the vote by which Senate Bill No. 56 passed the Senate on April 17, 1959.

The question recurred on the passage of Senate Bill No. 56.

Pending roll call on the passage of Senate Bill No. 56, by unanimous consent Senator Gautier withdrew Senate Bill No. 56 from the further consideration of the Senate.

Senator Gautier moved that the rules be waived and the Senate immediately reconsider the vote by which Senate Bill No. 58 passed the Senate on April 17, 1959.

S. B. No. 58—A bill to be entitled An Act to amend Section 443.08, Florida Statutes, relating to unemployment compensation; providing for computation of contribution rate factors to fifth decimal place; and providing an effective date.

The President put the question: "Will the Senate reconsider the vote by which Senate Bill No. 58 passed the Senate on April 17, 1959?"

Which was agreed to by a two-thirds vote.

So the Senate reconsidered the vote by which Senate Bill No. 58 passed the Senate on April 17, 1959.

The question recurred on the passage of Senate Bill No. 58.

Pending roll call on the passage of Senate Bill No. 58, by unanimous consent Senator Gautier withdrew Senate Bill No. 58 from the further consideration of the Senate.

#### CONSIDERATION OF BILLS AND JOINT RESOLUTIONS ON SECOND READING

Senate Bill No. 24 was taken up in its order and the consideration thereof was informally passed, the Bill retaining its place on the Calendar of Bills on Second Reading.

S. B. No. 31—A bill to be entitled An Act relating to forfeitures of property to the Game and Fresh Water Fish Commission of the State; providing for methods and procedures for effecting such forfeitures; providing methods for filing claims for the recovery of such property by third parties and others; amending Section 372.31, Florida Statutes, relating to disposition of illegal fishing devices; and amending Chapter 372 by adding thereto additional sections to effectuate the intent of this Act.

Was taken up in its order.

Senator Connor moved that the rules be waived and Senate Bill No. 31 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 31 was read the second time by title only.

Senator Connor moved that the rules be further waived

and Senate Bill No 31 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 31 was read the third time in full.

Upon the passage of Senate Bill No. 31 the roll was called and the vote was:

Yeas—35.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Price
Belser	Cross	Hodges	Rawls
Boyd	Davis	Houghton	Ripley
Brackin	Dickinson	Johns	Stenstrom
Branch	Eaton	Kelly	Sutton
Bronson	Gautier	Kicliter	Tedder
Carlton	Getzen	Knight	

Nays—1.

Pope

So Senate Bill No. 31 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 32— A bill to be entitled An Act relating to the non-payment by banks or trust companies of items presented for payment; amending Section 659.33 by adding an additional subsection thereto; limiting the liability of banks and trust companies under certain circumstances to actual damages caused by such non-payment; and exempting banks and trust companies from liability for such non-payment under certain circumstances.

Was taken up in its order.

Senator Carraway moved that the rules be waived and Senate Bill No. 32 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 32 was read the second time by title only.

Senator Carraway moved that the rules be further waived and Senate Bill No. 32 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 32 was read the third time in full.

Upon the passage of Senate Bill No. 32 the roll was called and the vote was:

Yeas—32.

Mr. President	Carraway	Getzen	Knight
Adams	Clarke	Gresham	Melton
Beall	Connor	Hair	Pearce
Boyd	Cross	Hodges	Price
Brackin	Davis	Houghton	Rawls
Branch	Dickinson	Johns	Ripley
Bronson	Eaton	Kelly	Stenstrom
Carlton	Gautier	Kicliter	Tedder

Nays—4.

Belser	Gibbons	Pope	Sutton
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So Senate Bill No. 32 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 48—A bill to be entitled An Act to amend Chapter 668, Florida Statutes, by adding Section 668.11 providing that out of state savings and loan associations participating in certain business transactions in the State be exempt from qualification under the provisions of Chapter 668.

Was taken up in its order.

Senator Carraway moved that the rules be waived and Senate Bill No. 48 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 48 was read the second time by title only.

Senator Carraway moved that the rules be further waived and Senate Bill No. 48 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 48 was read the third time in full.

Upon the passage of Senate Bill No. 48 the roll was called and the vote was:

Yeas—35.

Mr. President	Carraway	Gibbons	Pearce
Adams	Clarke	Gresham	Pope
Beall	Connor	Hair	Price
Belser	Cross	Hodges	Rawls
Boyd	Davis	Johns	Ripley
Brackin	Dickinson	Kelly	Stenstrom
Branch	Eaton	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	

Nays—1.

Houghton

So Senate Bill No. 48 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 33 was taken up in its order and the consideration thereof was informally passed, the Bill retaining its place on the Calendar of Bills on Second Reading.

S. B. No. 144—A bill to be entitled An Act amending paragraph (c) of Subsection (2) of Section 215.47, Florida Statutes, relating to the investment of funds by the State Board of Administration and authorized securities for such investments, by providing for the investment in mortgages guaranteed as to principal and interest by the United States of America pursuant to the provisions of "National Housing Act as amended, Chapter VIII—Armed Service Housing Mortgage Insurance— 69 Stat. 646; 12 United States Code Sections 1748 et seq." and providing for the effective date of this Act.

Was taken up in its order.

Senator Carraway moved that the rules be waived and Senate Bill No. 144 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 144 was read the second time by title only.

Senator Carraway moved that the rules be further waived and Senate Bill No. 144 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 144 was read the third time in full.

Upon the passage of Senate Bill No. 144 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So Senate Bill No. 144 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Ripley moved that Senate Bills Nos. 90, 91, 94 and 95 be recommitted to the Committee on Judiciary "A."

Which was agreed to by a two-thirds vote and it was so ordered.



S. B. No. 130—A bill to be entitled An Act relating to commencement of suits at law and process; reenacting Section 47.17, Florida Statutes, 1955, repealed by Chapter 57-97, Laws of Florida, providing for the service of process upon private corporations; providing an effective date.

Was taken up in its order.

Senator Cross moved that the rules be waived and Senate Bill No. 130 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 130 was read the second time by title only.

The Committee on Judiciary "A" offered the following amendment to Senate Bill No. 130:

Strike out Section 3 and add new Section 3 and new Section 4: "Section 3. This Act shall not apply to service of process upon insurance companies. Section 4. This Act shall take effect September 1, 1959."

Senator Cross moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Cross moved that the rules be further waived and Senate Bill No. 130, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 130, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 130, as amended, the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So Senate Bill No. 130 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

S. B. No. 89—A bill to be entitled An Act relating to Polk County; empowering the State Game and Fresh Water Fish Commission to convey certain property in said county to the Board of Public Instruction of Polk County for its appraised value; providing an effective date.

Was taken up in its order.

Senator Kelly moved that the rules be waived and Senate Bill No. 89 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 89 was read the second time by title only.

Senator Kelly moved that the rules be further waived and Senate Bill No. 89 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 89 was read the third time in full.

Upon the passage of Senate Bill No. 89 the roll was called and the vote was:

Yeas—36.

Mr. President	Bronson	Dickinson	Hodges
Adams	Carlton	Eaton	Houghton
Beall	Carraway	Gautier	Johns
Belser	Clarke	Getzen	Kelly
Boyd	Connor	Gibbons	Kicliter
Brackin	Cross	Gresham	Knight
Branch	Davis	Hair	Melton

Pearce  
Pope

Price  
Rawls

Ripley  
Stenstrom

Sutton  
Tedder

Nays—None.

So Senate Bill No. 89 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 39—A bill to be entitled An Act relating to jurisdiction of juvenile court judges; amending Subsection (4) of Section 39.02, Florida Statutes; by providing that a juvenile court judge shall have the jurisdiction of a committing magistrate only in those causes wherein the welfare of a child is directly involved; providing an effective date.

Was taken up in its order.

Senator Ripley moved that the rules be waived and Senate Bill No. 39 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 39 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 39 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 39 was read the third time in full.

Upon the passage of Senate Bill No. 39 the roll was called and the vote was:

Yeas—35.

Mr. President	Carraway	Gibbons	Pearce
Adams	Clarke	Gresham	Pope
Beall	Connor	Hair	Price
Belser	Cross	Houghton	Rawls
Boyd	Davis	Johns	Ripley
Brackin	Dickinson	Kelly	Stenstrom
Branch	Eaton	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	

Nays—None.

So Senate Bill No. 39 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 109—A bill to be entitled An Act relating to agriculture; providing for reorganization of agricultural services; creating State Department of Agriculture as Chapter 570 Florida Statutes and transferring powers and duties of Florida Livestock Board, State Plant Board, State Agricultural Marketing Board, State Marketing Commissioner, State Chemist, Assistant State Chemists, State Veterinarian and Plant Commissioner to said department; providing for the abolishment of the said boards and officers; repealing Sections 19.01 through 19.08, 19.10, 19.11, 19.19, 19.22, 19.25 through 19.29, 19.42 through 19.47, 19.49 through 19.51, 525.04, 525.05, 581.01, 585.02, 603.01 through 603.05, 603.08 through 603.10, 603.16, 603.18, 603.19 and 603.24, Florida Statutes; and providing an effective date.

Was taken up in its order.

Senator Adams moved that the rules be waived and Senate Bill No. 109 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 109 was read the second time by title only.

The Committee on Agriculture and Livestock offered the following amendment to Senate Bill No. 109:

On Page 22, line 32, beginning with "Section 570.23" strike out all of section through Subsection (5), page 24, line 26 and insert in lieu thereof the following:

Section 570.23 **State agricultural advisory council; appointment; vacancies; terms; removal.**—The state agricultural advisory council is hereby created and shall be composed of twenty (20) members as follows:

(1) The said twenty (20) members shall be appointed by the commissioner upon recommendations as provided in Subsection (2) hereof, from the state at large, one (1) member to represent each of the following areas of agricultural or trade interests affected by the activities of the department:

1. Beef cattle.
2. Swine.
3. Dairy.
4. Poultry.
5. Apiary.
6. Citrus.
7. Tropical fruits.
8. Vegetable.
9. Ornamental horticulture.
10. Seed.
11. Commercial feed.
12. Commercial fertilizer and pesticide.
13. Field crops.
14. Forestry.
15. Retail food stores.
16. Independent agricultural markets.
17. Meat processing and packing establishments.
18. Food, other than meat or citrus, processing and canning establishments.
19. Petroleum.
20. Citizen at large.

(2) Each appointment to the council shall be made by the commissioner from recommendations submitted by the governing bodies of recognized state-wide organizations representing the area of agricultural or trade interest for which the appointment is made, except that the citizen at large member shall be appointed by the commissioner from the general public and shall be representative of the views of the general public toward agriculture and its activities. Nominations shall be made by the governing bodies of such agricultural or trade organizations pursuant to proper provisions adopted and made a part of their by-laws, provided, however, that each recommending organization shall recommend no less than two (2) nor more than three (3) candidates for each council seat for which it is eligible to recommend.

(3) Each appointment by the commissioner to the council of representatives of the areas of agricultural interests enumerated 1 through 14 in subsection (1) of this section shall be limited to those nominees who are producers or growers actively engaged in the area of agricultural interest which he is chosen to represent and who gains from such agricultural interest a major portion of his income. Each appointment by the commissioner to the council of representatives of the areas of trade interests enumerated 15 through 18 in subsection (1) of this section shall be limited to those nominees who are actively engaged in the area of trade interest which he is chosen to represent and who gains from such trade interest a major portion of his income. The petroleum representative appointment by the commissioner enumerated as 19 in subsection (1) of this section shall be limited to those nominees who are distributors of petroleum or petroleum products. The citizen at large member of the council enumerated as 20 in subsection (1) of this section shall not be actively engaged in any agricultural pursuit nor shall any nominations be required for the appointment to the council by the commissioner.

(4) In the absence of nominations from an area of agricultural or trade interest as provided in this section, the commissioner shall appoint a person to that seat on the council without such person first being nominated by a qualified organization, provided that such person meets the requirements of subsection (3) of this section.

(5) Ten (10) members of the first council shall hold office until January 15, 1962, or until their successors are duly appointed and qualified and thereafter shall serve for a term of two (2) years. The remaining ten (10) members shall serve for a term of two (2) years. The terms of office of members of the first council shall date from January 15, 1961.

Senator Adams moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Adams offered the following amendment to Senate Bill No. 109:

In Section 1, line 9, Page 50, after the following: "Section 570.52 Fertilizer and pesticide technical committees; powers and duties.—" strike out all of Subsection (1) and insert in lieu thereof the following: (1) (a) The fertilizer technical committee shall be composed of the state chemist, the director of the Florida agricultural experiment stations, the director of the Florida agricultural extension service, the field crops member of the state agricultural advisory council and the fertilizer and pesticide member of the state agricultural advisory council.

(b) The pesticide technical committee shall be composed of the state chemist, the director of the Florida agricultural experiment stations, the director of the Florida agricultural extension service, the field crops member of the state agricultural advisory council and a pesticide representative. The pesticide representative shall be appointed by the commissioner subject to the same qualifications and by the same procedure as prescribed in Section 570.38, Florida Statutes, for membership to the council.

Senator Adams moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Agriculture and Livestock offered the following amendment to Senate Bill No. 109:

On page 51, line 30, following line 30 and preceding line 31 insert the following:

Section 1A. It is declared to be the legislative intent that, if any section, subsection, sentence, clause, or provision of this Act is held invalid, the remainder of the Act shall not be affected.

Senator Adams moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Adams moved that the rules be further waived and Senate Bill No. 109, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 109, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 109, as amended, the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Gautier	Kicliter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—None.

So Senate Bill No. 109 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

The hour of adjournment having arrived, a point of order was called and the Senate stood adjourned at 5:05 o'clock P.M., until 11:00 o'clock A.M., Tuesday, April 21, 1959.